



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN BYRON GOYNES, MEMBERS STEVEN EVANS, LEO DAVENPORT, DAVID STEINMAN, GLENN TROWBRIDGE and SAM DUNNAM

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD– PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

GARY LEOBOLD, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance. Letters are on file for each of the requests.

Item 34 [MOD-8064]	Abeyance to 10/20/2005 Planning Commission Meeting
Item 35 [SDR-8066]	Abeyance to 10/20/2005 Planning Commission Meeting
Item 44 [SDR-8032]	Abeyance to 10/20/2005 Planning Commission Meeting
Item 46 [SDR-8065]	Abeyance to 9/22/2005 Planning Commission Meeting

MR. LEOBOLD also indicated that staff requested the following items be held in abeyance and tabled.

Item 50 [TXT-5037]	Abeyance to 9/08/2005 Planning Commission Meeting
Item 52 [TXT-8467]	TABLED

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and Item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

(6:04 – 6:06)

1-107



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

SUBJECT:

Approval of the minutes of the July 28, 2005 Planning Commission Meeting

MOTION:

GOYNES - APPROVED – UNANIMOUS with DUNNAM abstaining because he did not attend the aforementioned meeting

MINUTES:

There was no discussion.

(6:02)

1-42



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-7966 - TENTATIVE MAP - MONTICELLO AT CLIFF'S EDGE - APPLICANT/OWNER: BATH SCHAUMBER, LLC - Request for a Tentative Map FOR A 190-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 17.70 acres between Puli Road and Shaumber Road, approximately 670 feet north of Rome Boulevard (APN 126-24-310-004), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliffs Edge Special Land Use Designation], Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 1 [TMP-7966] subject to amended conditions and **APPROVED** Item 2 [TMP-8072], Item 3 [TMP-8073], Item 4 [TMP-8078] and Item 5 [TMP-8351] subject to conditions – **UNANIMOUS**

2. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map shall be approved by staff of the Planning and Development Department and Public Works Department depicting the following:
 - A note shall be included on the Tentative Map that the rear yard is to be seven feet for *at least* 50 percent of the elevation width of dwellings.
 - The community wall and retaining wall along Shaumber Road shall not exceed a height of seven feet. Where a greater height is needed, the retaining wall and community wall shall be terraced or separated according to the Cliff's Edge Design Guidelines, and the retaining wall shall not exceed a height of five feet.

This is Final Action

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 1 – TMP-7966

MINUTES – Continued:

CHAIRMAN TRUEDELL stated this is a Consent item.

GARY LEOBOLD, Planning & Development, stated that staff had a condition change for Condition 2 of Item 1 [TMP-7966]. He read the amendment into the record and explained that the new language would allow for at least a seven-foot rear setback for 50 percent.

DEBORAH JOHNSON, 2727 S. Rainbow Boulevard, concurred with the amendment and all other conditions.

(6:07 – 6:10)

1-195

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map shall be approved by staff of the Planning and Development Department and Public Works Department depicting the following:
A note shall be included on the Tentative Map that the rear yard is to be seven feet for up to 50 percent of the elevation width of dwellings.
The community wall and retaining wall along Shaumber Road shall not exceed a height of seven feet. Where a greater height is needed, the retaining wall and community wall shall be terraced or separated according to the Cliff's Edge Design Guidelines, and the retaining wall shall not exceed a height of five feet.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a lot fit analysis shall be submitted for approval by staff of the Planning and Development Department.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. As an attachment to the civil bond, any part of which shall not be released until this has

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 1 – TMP-7966

CONDITIONS – Continued:

been satisfied, and prior to the sale of any lots or units, the developer is required to adopt a plan for the maintenance of infrastructure improvements, which shall be reviewed and approved by the Field Operations Division of the Public Works Department. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels concurrent with the recordation of the Covenants, Conditions and Restrictions for the subdivision.

7. All development is subject to the conditions of City departments and State subdivision statutes.

Public Works

8. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
9. If not constructed by the Master Developer, construct the full width street improvements on Puli Road and half street improvements on Shaumber Road, including appropriate overpaving, adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
10. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way, if any, on Puli Road and Shaumber Road adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 1 – TMP-7966

CONDITIONS – Continued:

11. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements, if any, in the Puli Road and Shaumber Road public rights-of-way adjacent to this site.
12. A Homeowners' Association shall be established to maintain all perimeter walls, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
14. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowners' association or maintenance association for all public drainage not located within existing public street right-of-way.
15. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
17. Site development to comply with all applicable conditions of approval for previous zoning

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 1 – TMP-7966

CONDITIONS – Continued:

actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, the "Sight Distance along Shaumber Road within Cliff's Edge" design document dated 03/04/04 and all other applicable site-related actions.

18. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.
19. Street signage for this subdivision shall bear the words "privately maintained" and the entrance to this subdivision shall be constructed with 50-feet of stamped concrete acceptable to the City Engineer.
20. Any lots abutting public streets shall be constructed with sidewalk acceptable to the City Engineer.
21. The access driveways for this site cannot be gated.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-8072 - TENTATIVE MAP - LADY LUCK (A COMMERCIAL SUBDIVISION) - APPLICANT: THE HENRY BRENT COMPANY, LLC - OWNER: THE HENRY BRENT COMPANY, LLC, ET AL - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 3.07 acres adjacent to the southwest corner of Stewart Avenue and Fourth Street (APNs 139-34-510-017, 018 and 030), C-2 (General Commercial) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to amended conditions Item 1 [TMP-7966], Item 2 [TMP-8072], Item 3 [TMP-8073], Item 4 [TMP-8078] and Item 5 [TMP-8351] – UNANIMOUS

This is Final Action

MINUTES:

VICE CHAIRMAN TRUESDELL stated this is a Consent item.

(6:07 – 6:10)

1-195

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 2 – TMP-8072

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-4835).
3. As an attachment to the civil bond, any part of which shall not be released until this has been satisfied, and prior to the sale of any lots or units, the developer is required to adopt a plan for the maintenance of infrastructure improvements, which shall be reviewed and approved by the Field Operations Division of the Public Works Department. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels concurrent with the recordation of the Covenants, Conditions and Restrictions for the subdivision.
4. All development is subject to the conditions of City departments and State subdivision statutes. In particular, the issuance of building permits shall be subject to resolving a firewall separation discrepancy at boundary lines.

Public Works

5. Dedicate a 10-foot radius on the northwest corner of Fourth Street and Ogden Avenue. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent structures located within the area being requested for dedication.
6. The Final Map for this site shall be labeled as a “Merger and Resubdivision.”
7. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets, and a note to this effect shall appear on the Final Map for this site.
8. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 2 – TMP-8072

CONDITIONS – Continued:

- I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
9. Add the following note to the Final Map “All subdivided parcels comprising this commercial subdivision shall provide perpetual intersite common drainage rights across all existing and future parcel limits”.
 10. Revise the sewer provider labeled on Sheet 1 of this map to be the City of Las Vegas.
 11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.
 12. Show the existing 24-foot wide Public Drainage Easement that was retained with Vacation VAC-3926 per Document No. 20041119:01305 and all other easements that were retained through this vacation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-8073 - TENTATIVE MAP - TOWN CENTER 60/75 NO.5 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA, ET AL - Request for a Tentative Map FOR A 70-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 20.24 acres adjacent to the east side of Grand Canyon Drive between Deer Springs Way and Wittig Avenue (APNs 125-19-601-001, 007 and 125-19-501-009 and 010), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD4 (Residential Planned Development - 4 units per acre) Zone, Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to amended conditions Item 1 [TMP-7966], Item 2 [TMP-8072], Item 3 [TMP-8073], Item 4 [TMP-8078] and Item 5 [TMP-8351] – **UNANIMOUS**

This is Final Action

MINUTES:

VICE CHAIRMAN TRUESDELL stated this is a Consent item.

(6:07 – 6:10)

1-195

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 3 – TMP-8073

CONDITIONS – Continued:

2. Site development to comply with all applicable conditions of approval for Rezoning (ZON-6312), Site Development Plan Review (SDR-6315), Waiver (WVR-6322), Vacation (VAC-6325), and Variance (VAR-6328) and all other applicable site-related actions.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. As an attachment to the civil bond, any part of which shall not be released until this has been satisfied, and prior to the sale of any lots or units, the developer is required to adopt a plan for the maintenance of infrastructure improvements, which shall be reviewed and approved by the Field Operations Division of the Public Works Department. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels concurrent with the recordation of the Covenants, Conditions and Restrictions for the subdivision.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. No portion of this subdivision abutting or overlying the Las Vegas Valley Water District right-of-way easement on the north side of Deer Springs Way shall record until a Petition of Vacation, such as VAC-6325 has recorded.
8. The access driveways for this site cannot be gated.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 3 – TMP-8073

CONDITIONS – Continued:

9. Private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
10. Show and label all existing Public Drainage Easements. Public Drainage Easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.
12. Site development to comply with all applicable conditions of approval for ZON-6312, SDR-6315 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-8078 - TENTATIVE MAP - THE LAKES-SAHARA (A COMMERCIAL SUBDIVISION) - APPLICANT: MALPASS DESIGN GROUP - OWNER: LAKES ACQUISITION, LLC - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 0.88 acres adjacent to the northeast corner of Lake East Drive and Lake Sahara Drive (APN 163-08-601-001), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to amended conditions Item 1 [TMP-7966], Item 2 [TMP-8072], Item 3 [TMP-8073], Item 4 [TMP-8078] and Item 5 [TMP-8351] – UNANIMOUS

This is Final Action

MINUTES:

VICE CHAIRMAN TRUESDELL stated this is a Consent item.

(6:07 – 6:10)

1-195

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 4 – TMP-8078

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-3381)
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting the subdivision boundaries shall be approved by the Planning and Development Department and Public Works Department staff.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
8. Add the following note to the Final Map "All subdivided parcels comprising this commercial subdivision shall provide perpetual intersite common drainage rights across all existing and future parcel limits".
9. Site development to comply with all applicable conditions of approval for SDR-3381 and all other subsequent site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map is in

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 4 – TMP-8078

CONDITIONS – Continued:

concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

11. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-8351 - TENTATIVE MAP - ANN AND BALSAM - APPLICANT: TANEY ENGINEERING - OWNER: GREGORY G. AND CAROL S. HATFIELD - Request for a Tentative Map FOR A 36 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 4.59 acres adjacent to the northwest corner of Glen Landing Avenue and Balsam Street (APN 125-27-803-003), U (Undeveloped) Zone [ML (Medium Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development - 8 units per acre) Zone], Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to amended conditions Item 1 [TMP-7966], Item 2 [TMP-8072], Item 3 [TMP-8073], Item 4 [TMP-8078] and Item 5 [TMP-8351] – **UNANIMOUS**

This is Final Action

MINUTES:

VICE CHAIRMAN TRUESDELL stated this is a Consent item.

(6:07 – 6:10)

1-195

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 5 – TMP-8351

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-6294), Variance (VAR-6289), (GPA-6285), Rezoning (ZON-6291), and Vacation (VAC-6293).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. As an attachment to the civil bond, any part of which shall not be released until this has been satisfied, and prior to the sale of any lots or units, the developer is required to adopt a plan for the maintenance of infrastructure improvements, which shall be reviewed and approved by the Field Operations Division of the Public Works Department. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels concurrent with the recordation of the Covenants, Conditions and Restrictions for the subdivision.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. A Petition of Vacation, such as VAC-6293, to vacate the unused portions of Balsam Street north of Glen Landing Avenue shall record prior to the recordation of a Final Map for this site abutting or overlying the area requested with this vacation.
8. Site development to comply with all applicable conditions of approval for ZON-6291, SDR-6294, and all other applicable site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 5 – TMP-8351

CONDITIONS – Continued:

concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-7690 - VACATION - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPEL FAMILY LP, ET AL - Petition to Vacate AN EXISTING PUBLIC INGRESS/EGRESS EASEMENT AND ASSOCIATED SIGHT VISIBILITY RESTRICTION ZONES (SVRZ) generally located to the south of the southeast corner of Torrey Pines Drive and Lake Mead Boulevard, Ward 6 (Ross).

SET DATE: 09/07/05

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 6 – VAC-7690

MINUTES – Continued:

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:10 – 6:11)

1-297

CONDITIONS:

1. Compliance with the approved Drainage Study.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAC-8037 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: BATH SCHAMBER, LLC - Petition to Vacate U.S. Government Patent Easements generally located between Puli Road and Shaumber Road, approximately 670 feet north of Rome Boulevard, Ward 6 (Ross).

SET DATE: 09/07/05

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 7 – VAC-8037

MINUTES – Continued:

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:10 – 6:11)

1-297

CONDITIONS:

1. All development shall be in conformance with code requirements and design standards of all City departments.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Rezoning Application TMP-7966 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City or an Extension of Time is not granted by the Planning and Development Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - GPA-6273 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.89 acres adjacent to the east side of Dike Road, approximately 150 feet north of Bonanza Road (139-29-704-019 through 023), Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED – Motion carried with DUNNAM and EVANS voting NO

To be heard by the City Council on 9/21/2005

NOTE: Chairman Truesdell disclosed that when a nearby parcel was sold to Mr. McWhorter, he represented the client that sold the property. That property was once McDonald's and is now Big Mama's Rib Shack.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

FLINN FAGG, Planning & Development, explained that the applicant has significantly redesigned the project since the original submittal. What is advertised in the title on the Agenda

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 8 – GPA-6273

MINUTES – Continued:

Summary Page is different than what was reviewed the staff's report and what the applicant will present at this meeting.

The project has been scaled back to a total of 363 residential units in a single 30-story tower with 10,000 square feet of commercial space. Originally it was 471 residential units and 40,000 square feet of commercial space in a 38 and 32-story tower. So the applicant has reduced the scale of the development considerably from two towers to one 30-story tower, reduced the number of residential units and reduced the amount of commercial square footage. By redesigning the project, the number of requested waivers has been reduced also. However, there are still a number of waivers required, which consist of the west setback requirements, lot coverage, perimeter landscaping and residential adjacency requirements.

While staff generally supports mixed-use development and redevelopment in the subject area, staff is still concerned with the intensity of the project, relative to transportation, open space and other issues. Because of the number of requested waivers and the variance for parking requirements, staff recommended denial of the proposed development, despite the fact that the applicant has significantly reduced the scale of the project. Therefore, staff cannot support the associated applications with the proposed development.

JT Moran, III, Moran and Associates, 630 S. 4th Street, appeared with the architect from Horizon, and the applicant/owner, DEMETRIUS McWHORTER, Rose Bud Development, 2230 W. Bonanza Road. MR. MORAN reiterated some of MR. FAGG'S comments. He felt that the upcoming development in this corridor would have a significant impact on what happens with the 61-acre development, Neonopolis, Fremont Street Experience and the Entertainment District.

MR. MORAN gave a detailed report on the proposed development. He stated that the subject development will have a variety of different floor plans, as there will be studio apartments up to 516 square feet, one-bedroom apartments up to 700 square feet, and three-bedroom apartments over 1,300 square feet. The price range of these units will be \$350 – 400 per square foot. There is site circulation and fire access, should an emergency arise.

He pointed out one of staff's comments relating to having received a different site plan at this meeting. He explained that this stemmed from having numerous conversations with neighborhood alliances/groups, residents and COUNCILMAN WEEKLY'S staff. What was originally proposed was two towers, exceeding 500 feet in height, with approximately 500 units within these two towers. It was a more intense project, which caused a lot more traffic in the area. As a result, the project was significantly scaled back to reconcile some of the residents' concerns.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 8 – GPA-6273

MINUTES – Continued:

He showed diagrams of the proposed development, a map of the Redevelopment Area and pointed out areas where mixed use development was most compatible and consistent. There are many upcoming projects for the revitalization of the subject area.

MR. MORAN concurred with staff's conditions but requested the deletion of Condition 18 on Item 14, as the applicant believed the Multi-Use Transportation Trail would cause the commercial component of the proposed development to be set back too far from the front of the parcel. In addition, other developments going east and west on Bonanza Road are aligned differently, so it would be difficult to construct this trail. The applicant would be happy to provide a pedestrian right-of-way, including more than the required amount of buffering and landscaping.

He explained the waiver for the residential adjacency requirement resulted from two parcels on the site plan that are zoned R-1 and owned by Cox Communications. He referenced a letter from Cox Communications indicating that their facility will be expanded onto these two parcels and the plan is to change the zoning to C.

Regarding the parking requirement, the applicant is providing 581 parking spaces where 606 are required. Considering the mixed-use component with the interaction of the commercial and residential uses and the hours of operation, some of the parking spaces would not be necessary during the non-peak hours and during the closed hours of the commercial component.

With regards to the additional waiver requests, the applicant's goal is to keep the proposed development far away as possible from the R-PD16 development and to further align Dike Lane. In addition, there is a waiver request for the landscaping requirement along the eastern boundary line, as it would provide an access point for the Fire Department and also maintain the circulation on the subject site.

He pointed out that staff's recommendation for denial was due to the intensity of the proposed development, but the project has since been scaled down. In addition, an environmental impact assessment was done by a reputable engineering firm, which took into account certain transportation patterns, traffic and how the proposed development could cause a traffic problem in the area. This assessment was based upon the previous more intense proposed development. One of the most important questions raised was if the site would have sufficient access to street and highways adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed project. The answer was yes, as there would be access to Bonanza Road, which is a minor arterial, capable of accommodating the amount of traffic generated by the proposed development. In essence, this assessment could also apply to the proposed development, given the lesser density.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 8 – GPA-6273

MINUTES – Continued:

MR. MORAN concluded by stating the proposed development is compatible and would compliment the existing surrounding businesses.

DANIEL DEEGAN, 1801 Granite Avenue, spoke on behalf of Rancho Manor Neighborhood Association. He appreciated the applicant's goodwill and time in speaking and working with the residents on the subject development. MR. DEEGAN stated the residents supported Items 8 and 9, as the project is welcomed in the area. However, the residents did not support the Site Development Plan Review with the proposed units, as the height is excessive and not compatible with the surrounding neighborhood. In addition, the residents have a concern with privacy and if there would be sufficient amenities for the newcomers. The residents recognized the subject area as a Redevelopment Area and appreciated the applicant's efforts in possibly taking the lead in changing the area in a positive way. MR. DEEGAN concluded by stating that the residents suggested having the applicant begin with a 10-14 story tower development and then at a later date, request an additional phase.

JEFF JORDAN, 710 Dike Lane, has lived in the subject neighborhood for the past 16 years and has seen the negative and positive changes occur. He felt that the proposed development would only benefit and enhance the community and local businesses.

MR. MORAN apologized for not providing MR. DEEGAN with the information relative to the proposed height and the impact on the residents' privacy. He commented that a line of sight calculation was done from the proposed top unit down to the closest neighborhood. The individual residing in the top unit would not be able to see the closest home across from the 95 Freeway and would not invade the residents' privacy. He added that this information would be provided to staff and at City Council.

GINA VENGLASS, Public Works, confirmed for COMMISSIONER DUNNAM that Bonanza Road is a 80 foot right-of-way and Dike Lane is a 60 foot right-of-way. The Commissioner then asked if there would be connectivity with the trail system. MR. FAGG responded that connectivity would occur in the future, as the trail system is part of a larger system that will connect regionally throughout the valley. MARGO WHEELER, Planning and Development, added that any modification to the trail system would require a General Plan Amendment (GPA), which is not part of this application. So Condition 18 on Item 14 would have to remain or a requirement in its place for the future GPA.

COMMISSIONER DAVENPORT questioned how many units would be studios. MR. MORAN referenced another hotel's findings, where there was a huge demand for the studio units. He added that there will be more studio units than one or two-bedroom units, but the density would be maintained. The Commissioner then questioned if the applicant had spoken with the Federal

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 8 – GPA-6273

MINUTES – Continued:

Aviation Agency (FAA), as the subject area is located within the Airport Overlay District and the proposed height is 350 feet. MR. MORAN responded that a consultant has been retained and a 7460-1 Form will be filed with the FAA to determine whether the 350 feet or higher would be allowed. He could not confirm if the subject area was located within the Airport Overlay District. Should the FAA grant an approval, then all stipulations would be followed accordingly.

COMMISSIONER STEINMAN commented that in the initial proposed development, the proposed parking was 566 where 606 was the requirement. MR. MORAN answered that with the original design, the proposed parking was 927 and the requirement was 915. MR. FAGG confirmed for the Commissioner the proposed number of units, along with the proposed 581 parking spaces where the requirement is 606.

MR. McWHORTER informed COMMISSIONER STEINMAN that the target is a mix of professionals, out of town investors that need a smaller place to stay and even some elderly individuals. The Commissioner confirmed with MR. McWHORTER that the units will range from \$250,000 TO \$300,000. Individuals will have to have an income of approximately \$60,000. He wondered if individuals in the subject neighborhood would be interested in purchasing these, why individuals from out of town would want to locate at Bonanza Road and Rancho Drive while visiting Las Vegas on occasions and what would entice professionals to move in the subject area relative to their work. MR. McWHORTER responded that the desire is to bring in others to this area and be closer to the Downtown area. This would bring in monies, create jobs and businesses. MR. MORAN added that the subject development could be for the professional who prefers an affordable location in a nice building, which is close to the Downtown area for working individuals. In addition, Las Vegas is a booming city where individuals are purchasing various kinds of housing as a second residence. Lastly, this developer will be the first to build in this area and there is no competition. These individuals will have a choice to stay somewhere else other than on the strip or downtown.

COMMISSIONER STEINMAN expressed concern because he did not believe the neighborhood could participate in the subject development, as there is no authority to enforce the developer to create affordable units. He emphasized that the Redevelopment Area would be the ideal location for affordable units. MR. MORAN informed the Commission that UBS Investment Bank, Babcock and Brown, whose portfolio entailed success stories on these types of projects in cities like Miami, New York, Chicago and Cleveland. The Commissioner was also concerned with the applicant's suggestion to delete the Multi-Use trail, as he did not think it was appropriate to delete portions of the trail from the long range plans for this community. MR. MORAN agreed to maintain the trail.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 8 – GPA-6273

MINUTES – Continued:

COMMISSIONER GOYNES asked staff if concerns still existed with intensity, transportation and open space, even with the project being scaled down. MR. FAGG responded that even though the project has been scaled down, there is still concern with the intensity in the subject area with the services adjacent to the subject development not being sufficient to service it. The Commissioner then addressed one of MR. DEEGAN'S concerns regarding amenities. MR. MORAN stated there is open space in the rear for barbeques and relaxation. There are putting greens, a swimming pool, sundeck and additional recreation. Each unit will have its own lanai, or if preferred, the residents could enjoy the amenities being offered. COMMISSIONER GOYNES confirmed that the open space is more so up on each unit and not on the grounds. MR. MORAN informed him that the commercial space would include a sandwich shop, a coffee shop and a dry cleaner. The Commissioner commented that the project was innovative but had a more commercial feel to it and was not so much family oriented.

CHAIRMAN TRUESDELL appreciated the applicant's commitment to retain the multi-use trail, as he felt the pedestrian elements were vital to the success of the development. The Chairman then stated that some of MR. DEEGAN'S comments relative to the Ambling project, as it came forward, and its impact on the surrounding neighbors. Rancho Manor is a large and active neighborhood association. When the Ambling project was reduced in size, there was more compatibility and he commended the neighbors in working very hard with the developer. He appreciated the site line being done on the subject development; however, he believed that there was less regard to the neighborhood just north of the subject development. These residents have lived in the community for years and have pride of ownership, so the impact is more so with these residents than those across the 95 Freeway. His biggest concern with the upcoming towers outside of the Downtown corridor and immediate pedestrian accessibility is that they would be simply investor buildings. Land prices would increase, yet affordability would be lost. The Chairman felt the biggest impact was on the residents to the north of the subject site and preferred a decrease in the proposed height.

MR. MORAN stated that MR. McWHORTER has been operating a business here in Las Vegas since 1999, which is Big Mama's Rib Shack. He added that at a recent neighborhood meeting, COUNCILMAN WEEKLY and his liaison were in attendance as well; the concerns expressed at this meeting were the height of the project and those residences across from the 95 Freeway. There was no opposition to this project, as the residents are in favor of the development. He pointed out that although MR. DEEGAN expressed concern for the project, the residents at Rancho Manor are not within the notification area, yet somewhat favor the proposed development.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 8 – GPA-6273

MINUTES – Continued:

COMMISSIONER TROWBRIDGE also appreciated the applicant's commitment to retain the multi-use trail. He believed the proposed development would be a nice addition to the community; however, he was concerned with the applicant's request to waive all landscaping and setback requirements. He hoped that the applicant would make a commitment to include some exterior landscaping, as the building would be more attractive having landscaping at the ground level. MR. MORAN responded that the garage is self-contained, with decorative brick to enclose the parking area. He pointed out the property line in which the applicant shares with an adjacent property that has C-1 zoning. The applicant would like to construct a six-foot decorative wall on this particular property line. The only waiver request for some landscaping is to accommodate the emergency access and the right-of-way for site circulation. He also explained to the Commissioner that the commercial portion of the development will go up two stories. The underground parking will be between the commercial and residential components. He then described to the Commission how individuals will enter and exit from the subject site.

CHAIRMAN TRUESDELL stressed that if the Commission is approving the Special Use Permit and not the Site Development Review Plan, the applicant will still be required to present a Site Plan to the Commission for review.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

1-345

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-6510 - REZONING RELATED TO GPA-6273 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL), AND R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.89 acres adjacent to the east side of Dike Lane, approximately 150 feet north of Bonanza Road (APNs 139-29-704-019 through 021 and a portion of 022), Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with DUNNAM and EVANS voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

1-345

CONDITIONS:

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 9 – ZON-6510

CONDITIONS – Continued:

1. A General Plan Amendment (GPA-6273) to a C-1 (Limited Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-6507) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Dike Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine offsite relief sewer requirements in Bonanza Road necessary to meet the demands of this development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 9 – ZON-6510

CONDITIONS – Continued:

noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-6506 - VARIANCE RELATED TO GPA-6273 AND ZON-6510 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Variance TO ALLOW A ZERO FOOT STEPBACK RATIO WHERE A 1:1 STEPBACK RATIO IS REQUIRED ALONG A COLLECTOR OR LARGER STREET FOR A 500-FOOT TALL BUILDING IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 1.79 acres adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – Motion carried with GOYNES and STEINMAN voting NO

To be heard by the City Council on 9/21/2005

NOTE: Initial motion by Goynes for approval failed with Davenport, Truesdell, Dunnam and Evans voting No.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 10 – VAR-6506

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

1-345

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-7665 - VARIANCE RELATED TO GPA-6273, ZON-6510 AND VAR-6506 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Variance TO ALLOW 566 PARKING SPACES WHERE 606 ARE REQUIRED on 1.79 acres at 2230 W. Bonanza Road (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – Motion carried with GOYNES and STEINMAN voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-6504 - SPECIAL USE PERMIT RELATED TO GPA-6273, ZON-6510, VAR-6505 AND VAR-7665 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and amending the following condition:

2. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-6273), Rezoning (ZON-6510) and *a subsequent* Site Development Plan Review.

– Motion carried with DUNNAM and EVANS voting NO

To be heard by the City Council on 9/21/2005

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 12 – SUP-6504

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

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CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed Use Development.
2. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-6273), Rezoning (ZON-6510), Special Use Permit (SUP-8067), Variance (VAR-6506), Variance (VAR-7665) and Site Development Plan Review (SDR-6507).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-8067 - SPECIAL USE PERMIT RELATED TO GPA-6273, ZON-6510, VAR-6506, VAR-7665 AND SUP-6504 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC – OWNER: JEFF JORDAN, ET AL - Request for a Special Use Permit TO ALLOW A PROPOSED 350 FOOT TALL BUILDING WHERE 140 FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE AIRPORT OVERLAY ZONE adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – Motion carried with GOYNES, TROWBRIDGE and STEINMAN voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-6507 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6273, ZON-6510, VAR-6506, SUP-6504 AND SUP-8067 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT INCLUDING: A 38-STORY TOWER CONTAINING 311 RESIDENTIAL UNITS, A 32-STORY TOWER CONTAINING 160 RESIDENTIAL UNITS AND 40,000 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS FOR A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED, A ZERO-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED, A 10-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, 62 PERCENT LOT COVERAGE WHERE 50 PERCENT IS THE MAXIMUM ALLOWED, PERIMETER BUFFER LANDSCAPING, AND RESIDENTIAL ADJACENCY HEIGHT AND SETBACK REQUIREMENTS on 1.79 acres adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – Motion carried with GOYNES and STEINMAN voting NO

To be heard by the City Council on 9/21/2005

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 14 – SDR-6507

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-7679 - VACATION RELATED TO GPA-6273, ZON-6510, VAR-6506, VAR-7665, SUP-6504, AND SDR-6507 - PUBLIC HEARING - APPLICANT: HORIZON SURVEYS - OWNER – JEFF JORDAN, ET AL - Petition to Vacate the east five feet of a portion of Dike Lane, north of Bonanza Road, Ward 5 (Weekly).

SET DATE: 09/07/05

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – Motion carried with STEINMAN voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 8 [GPA-6273] for related discussion on Item 8 [GPA-6273], Item 9 [ZON-6510], Item 10 [VAR-6506], Item 11 [VAR-7665], Item 12 [SUP-6504], Item 13 [SUP-8067], Item 14 [SDR-6507] and Item 15 [VAC-7679].

(6:11 – 7:17)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - ZON-7086 - REZONING - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 0.16 acres adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 16 [ZON-7086], Item 17 [VAR-7088], Item 18 [SUP-7648] and Item 19 [SDR-7085].

GARY LEOBOLD, Planning and Development Department, explained that revised site plans were in the late packets for review. The applicant was before the Board on July 28th with a much denser project. The number of units was reduced from 36 to 20. The building will serve as a residence hotel, which by Code is a multi-dwelling unit for extended stay lodging consisting of efficiency units or suites with a complete kitchen suitable for long-term occupancy. Customary hotel services such as linen, maid service, telephone and upkeep of furniture and optional resident and guest amenities would be provided. The applicant proposed to rent the units on a weekly or monthly basis.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 16 – ZON-7086

MINUTES – Continued:

Regarding the rezoning, the applicant is requesting an apartment zone and that would be compatible with the mixed-use classification for the area in the redevelopment plan. However, the site is only 6,752 square feet and the requested zoning requires a minimum lot area of 7,000 square feet. The request for the rezoning predicates one of the three requested Variances.

Another request pertained to a reduction from the minimum side and corner side yard setback requirements from five feet to zero feet. MR. LEOBOLD referenced a cross section of the building and described the applicant's plan as innovative. The plan is to push the parking to the edges of the lot and have turf on one end and parking tuck beneath that. That is a structural element of the building so it would constitute the development having a zero lot line.

He continued by stating the upper floors would contain social function areas and the apartments themselves. The third aspect of the Variance is to allow 14 parking spaces where 20 spaces are required. The applicant has indicated they have had some discussions with the Latin Chamber of Commerce regarding shared parking with an adjacent site; however, those spaces could not be counted unless a Covenant was recorded against the property. Staff felt the site was too overbuilt to support and recommended denial.

BERT DeLUNA, DeLuna Inc., 4511 West Cheyenne Avenue, appeared with the owner's representatives, GERMAN JOSE SALCEDO and RICK TOQUEDA. After many meetings with staff, several issues were resolved relating to setbacks, landscaping, width of the driveway and accessibility on 13th Street. The berm that will be installed on Stewart Avenue will reduce the visual impact of the height of the building. The applicant hoped the project would enhance the neighborhood. It is compatible with the nearby Chamber of Commerce and Nevada H.A.N.D. developments. The number of units has been reduced to accommodate parking.

MR. DeLUNA told the Board that there would be a social hall for the residents on the second floor and the third, fourth and fifth floors would have the residential units. The units are a mix of studio apartments and deluxe units.

UGO PELLICCIA, 3055 South Bronco Street, owns property in the area and wanted his support for the project noted.

COMMISSIONER STEINMAN asked how the property could succeed without providing the proper parking. MR. DeLUNA indicated the applicant was in the process of securing an agreement for parking across the street in a lot owned by the Chamber of Commerce. The Commissioner thought the project may have been one floor too many. Removal of a floor would reduce the parking requirement. He was not pleased with the thought of parking being located

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 16 – ZON-7086

MINUTES – Continued:

across the street for the perpetuity of the project. CHAIRMAN TRUESDELL reminded the Commissioner that the parking across the street could not be counted because there was no Covenant guaranteeing the parking on that site. COMMISSIONER STEINMAN said that was why he was concerned about it. There was no guarantee it would remain available. He liked the structure and the berming but thought the site was overbuilt when taking parking into consideration.

COMMISSIONER TROWBRIDGE confirmed with MR. DeLUNA that the project was no longer age restricted for senior citizens. Now, it would be a residence hotel for all age groups. He also questioned if the third and fourth floor units would have private baths. MR. DeLUNA indicated all suites have their own restroom but there is a common restroom on both floors near the common area.

CHAIRMAN TRUESDELL asked if so many social halls and function rooms were provided because there would be another business or use besides what would be offered to the residents. He worried there would be functions at the site that would add a greater demand to the parking. MR. SALCEDO explained the concept of the building was to serve local families who have guests visiting or moving to Las Vegas. If local families have nowhere to house guests temporarily, they could use this facility. The function halls would be used for birthday or wedding anniversary types of events. Generally, these functions would be squeezed into a home causing a burden. It would be convenient to be able to rent a room for a week when small meetings or family get together are planned and friends and family come to town for them. The smallest of the units would be 19 feet by 14 feet. Also, while locals would be working, their visitors would tour the City in a Van and that would reduce the parking strain on the facility.

COMMISSIONER EVANS thought the third and fourth floors had a dormitory or youth hostel look to the design. He had not seen a configuration like that before and asked its purpose. He also stated concern over the facility holding functions when there was not adequate parking for the residents. He found the site to be overbuilt.

COMMISSIONER GOYNES agreed that the site was overbuilt. Like COMMISSIONER EVANS, he did not understand the interior configuration.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 16 [ZON-7086], Item 17 [VAR-7088], Item 18 [SUP-7648] and Item 19 [SDR-7085].

(7:17 – 7:41)

1-2994

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - VAR-7088 - VARIANCE RELATED TO ZON-7086 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for Variances TO ALLOW A REDUCTION IN THE MINIMUM LOT SIZE; TO ALLOW A ZERO-FOOT SIDE YARD SETBACK AND ZERO-FOOT CORNER SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED; AND TO ALLOW 14 PARKING SPACES WHERE 20 PARKING SPACES IS THE MINIMUM PARKING SPACES REQUIRED FOR A PROPOSED 20-UNIT RESIDENCE HOTEL on 0.16 acres adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 16 [ZON-7086] for related discussion on Item 16 [ZON-7086], Item 17 [VAR-7088], Item 18 [SUP-7648] and Item 19 [SDR-7085].

(7:17 – 7:41)

1-2994

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-7648 - SPECIAL USE PERMIT RELATED TO ZON-7086 AND SDR-7085 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for a Special Use Permit FOR A PROPOSED 20-UNIT RESIDENCE HOTEL adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 16 [ZON-7086] for related discussion on Item 16 [ZON-7086], Item 17 [VAR-7088], Item 18 [SUP-7648] and Item 19 [SDR-7085].

(7:17 – 7:41)

1-2994

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-7085 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-7086, VAR-7088, AND SUP-7648 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 20-UNIT RESIDENCE HOTEL on 0.16 acres adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone] Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 16 [ZON-7086] for related discussion on Item 16 [ZON-7086], Item 17 [VAR-7088], Item 18 [SUP-7648] and Item 19 [SDR-7085].

(7:17 – 7:41)

1-2994

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - VAR-7303 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO - Request for a Variance TO ALLOW A SIX-FOOT HIGH WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED IN THE FRONT YARD AND TO ALLOW A DETACHED ACCESSORY STRUCTURE TO EXCEED THE FLOOR AREA AND BE PLACED IN FRONT OF THE PRINCIPAL DWELLING UNIT on 4.94 acres adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and amending the following condition:

4. If the *proposed* entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

– UNANIMOUS

To be heard by the City Council on 9/21/2005

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 20 – VAR-7303

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 20 [VAR-7303], Item 21[SUP-7299] and Item 22 [SDR-7306].

GARY LEOBOLD, Planning and Development, explained that the Commission had heard an earlier version of this request on July 14, 2005 and the applicant has since gone back and reconfigured the proposal. The applications have been re-noticed and two meetings were held with area residents. The applications now suggest having 33 horses boarded for commercial purposes on the property. Because the house is located at the far west end of the site, essentially 80 percent of the site consists of what would be called the front yard. Accessory structures are not permitted in the front yard; however, that would be the appropriate location on this site. Another aspect of the Variance would allow the accessory structure to be larger than the residence. With the number of horses involved, it would be appropriate to have a larger building. The one request staff could not support pertained to a request to have the wall height on the perimeter wall exceed the limit. Staff was unable to find a justification for that request. The applicant indicated they would plant 24-inch box evergreen trees 30 feet apart along Leon Avenue and west La Madre Way. Staff felt that planting in such a manner would accomplish the same purpose as having a solid wall in that same area.

MR. LEOBOLD concluded his report by stating the 22 roping steers that are currently kept on the property would be removed so the application would pertain to horses only.

HERB KAUFFMAN appeared with NANCY ESTOCADO, applicant, and thanked staff for their assistance and concurred with all conditions.

COMMISSIONER STEINMAN asked if the intent of this proposal was the same as what was accomplished at a nearby boarding facility. MS. ESTOCADO indicated it would be a similar use offering commercial horse boarding. The Commissioner was unhappy with the parking situation at the other facility. Adequate parking for the many horse trailers around the site was not provided. MS. ESTOCADO stated there was adequate parking on her site because she has a larger property and would not house as many horses. He asked if a condition could be added that would prohibit trailers parking on the street. MS. ESTOCADO said she would agree to such a condition.

GINA VENGLASS, Public Works Department, asked if Condition 4 could be revised so that the word “existing” in the first sentence could be changed to proposed.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 20 – VAR-7303

MINUTES - Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 20 [VAR-7303], Item 21 [SUP-7299] and Item 22 [SDR-7306].

(7:41 – 7:50)

2-439

CONDITIONS:

Planning and Development

1. Approval of and conformance to the conditions of approval of applications for a Special Use Permit (SUP-7299) and Site Development Plan Review (SDR-7306).
2. The request for a Variance in the wall height permitted in the front yard shall be denied, and as a result, the height of the wall shall not exceed a height of four feet (top two feet, 50% open).
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

Public Works

4. If the existing entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
5. The block wall shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections; meet with the Traffic Engineering Representative in Land Development for assistance.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-7299 - SPECIAL USE PERMIT RELATED TO VAR-7303 - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO -
Request for a Special Use Permit FOR A PROPOSED HORSE CORRAL OR STABLE (COMMERCIAL) FOR 33 HORSES adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 20 [VAR-7303] for related discussion on Item 20 [VAR-7303], Item 21 [SUP-7299] and Item 22 [SDR-7306].

(7:41 – 7:50)

2-439

CONDITIONS:

Planning and Development

1. No more than 33 horses shall be boarded for commercial purposes on the subject property.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 21 – SUP-7299

CONDITIONS – Continued:

2. Cattle shall be removed from the premises prior to operation of the Horse Corral or Stable (Commercial). Roping steers may be brought to the premises during scheduled practice times, provided they are removed the same day as the scheduled practice.
3. The Horse Corral or Stable (Commercial) shall be subject to the following restrictions:
Stalls shall be cleaned twice daily.
The hours of operation shall be restricted to 6:30 am to 9:00 pm Monday through Friday and 6:30 am to 10 pm Saturday and Sunday.
Horse trainers shall carry liability insurance.
A horse boarding employee/owner shall be present at all times or within five minutes access time. A cell phone communication system shall be in place at all times.
4. Conformance to all other minimum requirements under Title 19.04.050 for a Horse Corral or Stable (Private) and other requirements of Title 19, except for those requirements for which a Variance (VAR-7303) may be granted.
5. Approval of and conformance to the conditions of approval for applications for a Site Development Plan Review (SDR-7306).
6. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City. This use shall be reviewed within one year after establishment of the operation at which time the City Council may require the use to cease or require such measures as are necessary to ameliorate the effects of the use. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the use cease at this location.
7. All City code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-7306 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-7303 AND SUP-7299 - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO - Request for a Site Development Plan Review FOR A PROPOSED 4,795 SQUARE-FOOT HORSE CORRAL OR STABLE (COMMERCIAL) on 4.94 acres adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 20 [VAR-7303] for related discussion on Item 20 [VAR-7303], Item 21 [SUP-7299] and Item 22 [SDR-7306].

(7:41 – 7:50)

2-439

CONDITIONS:

Planning and Development

1. Approval of and conformance to the conditions of approval for a Special Use Permit (SUP-7299).

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 22 – SDR-7306

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or the City grants an Extension of Time.
3. All development shall be in conformance with the site plan and building elevations, date stamped 06/13/05, except as amended by conditions herein. Landscaping shown in front of a solid wall around the perimeter of the property shall be provided. The wall shall not be provided, unless an accompanying Variance (VAR-7303) is approved to allow a solid wall within the front yard.
4. The site plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect the conditions of approval herein.
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
7. New property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and shall conform to the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. If parking lot or arena lighting standards are provided, they shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be directed downward. Lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Construct half-street improvements including appropriate overpaving on La Madre Way and Leon Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 22 – SDR-7306

CONDITIONS – Continued:

11. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.
12. Coordinate with the Clark County Health District to determine if the existing septic tank permit will accommodate the proposed commercial use on this site; alternatively coordinate with the City of Las Vegas Collection Systems Planning Section of the Department of Public Works regarding connection to the City of Las Vegas sewer system.
13. If the existing entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
14. The block wall shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections; meet with the Traffic Engineering Representative in Land Development for assistance.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-7191 - VARIANCE - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC -
Request for a Variance TO ALLOW 1,030 PARKING SPACES WHERE 1,256 SPACES ARE THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED MIXED-USE DEVELOPMENT on 16.78 acres adjacent to the northwest corner of Alta Drive and Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to Withdraw Without Prejudice – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 23 [VAR-7191] and Item 24 [SDR-7188].

GARY LEOBOLD, Planning and Development, explained the applicant requested these items be withdrawn without prejudice; however, staff had neglected to read them during housekeeping at the beginning of the meeting.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 23 [VAR-7191] and Item 24 [SDR-7188].

(8:09 – 8:11)

2-1424

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-7188 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-7191 - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC - Request for a Major Amendment to an Approved Site Development Plan Review FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF THREE (3) NINE-STORY TOWERS AND ONE (1) FIVE-STORY TOWER CONTAINING 664 RESIDENTIAL UNITS AND 24,970 SQUARE FEET OF COMMERCIAL SPACE on 16.78 acres adjacent to the northwest corner of Alta Drive and Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to Withdraw Without Prejudice – UNANIMOUS

MINUTES:

See Item 23 [VAR-7191] for related discussion on Item 23 [VAR-7191] and Item 24 [SDR-7188].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - VAR-6953 – VARIANCE – PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC. -
Request for a Variance TO ALLOW A 43-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 69 FEET FOR A PROPOSED COMMERCIAL BUILDING on 0.53 acres at 2200 North Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TROWBRIDGE – APPROVED subject to conditions and amending the following condition:

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6950).

– UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [VAR-6953] and Item 26 [SDR-6950].

FLINN FAGG, Planning & Development Department, explained the project was significantly redesigned since last presented to the Commission. The original size of 6,200 square feet was reduced to 4,900 square feet. The project no longer requires a parking variance as all parking is

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 25 – VAR-6953

MINUTES – Continued:

provided on site. There are still some waivers that will be required in spite of the redesign. The first is for the perimeter buffer requirement and the other pertained to the building placement requirements, which require the building to be set at the intersection with the parking to the side or to the rear of the building. A variance from the residential adjacency requirement is also necessary. The height of the building would require a minimum distance of 69 feet from the nearest residential property. Staff has maintained their original recommendation of denial because of the waivers requested and the residential adjacency variance that is requested.

MR. FAGG noted that if the items were approved, Condition 1 on Item 25 [VAR-6953] should have the reference to VAR-6955 deleted because it is the parking lot Variance that is no longer required.

RAMI ATOUT, President, Creative Design Architecture, 1635 Village Center Circle, Suite 150, appeared with CHRIS MANN of EN Engineering, on behalf of the owner. MR. ATOUT confirmed MR. FAGG'S statements regarding the redesign and reduction of the structure. This action was taken because the applicant was unable to secure a Cross-Access agreement with their neighbor. The property is now self-contained. Because of the narrow condition of the site, the structure is slightly longer than allowed by Code and therefore, the waiver from residential adjacency was required. To help buffer that residential area, the applicant has created a greenbelt between the building and the residences. MR. ATOUT also explained the request for a 23-foot tall parapet was to accommodate a condition requiring that all mechanical equipment be screened.

COMMISSIONER DUNNAM asked if the site would require a loading zone and he also noted that the driveway on Decatur Boulevard did not look as though it met Standard Drawing 222A. MR. ATOUT stated the type of uses for this retail center would not require a loading zone. GINA VENGLASS, Department of Public Works, explained that he was correct regarding the driveway. She suggested Condition 21 on Item 26 [SDR-6950] be amended to require any deviation from Standard Drawing 222A to require the approval of the City Engineer. Without approval, the site would have to be re-designed. MR. ATOUT stated he would be happy to apply for that approval.

MS. VENGLASS asked that Condition 23 be deleted from Item 26 [SDR-6950] since the applicant could not obtain the Joint Access agreement.

COMMISSIONER STEINMAN was concerned there were too many compact spaces and a large vehicle such as an SUV could not park without blocking the thru lane. MR. FAGG indicated Title 19.10 allows up to 30 percent of a development's spaces to be compact. The applicant's plan was in compliance with that requirement. The Commissioner was also concerned about the

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 25 – VAR-6953

MINUTES – Continued:

ingress/egress situated on the corner of Decatur Boulevard. MR. ATOUT explained the minimum distance requirement was 50 feet from edge to edge of driveway and that driveway was approximately 35 feet. Staff was concerned about having the driveway close to the adjacent shopping center driveway. This was the best location for it while trying to make the site viable.

RICK SCHROEDER, Public Works, Traffic Engineering, stated the requirement is 50 feet from the end of the radius from the beginning of the radius of the street. In this case, it is a small site and staff thought the proposed design would be acceptable. The separation was required for two reasons: first, having the driveway too close to the street is a safety hazard and there should be a low traffic volume and, second, with a driveway on Eugene Avenue, there is no advantage to drivers sneaking around the median.

COMMISSIONER EVANS asked staff if they felt the project was too intense. MR. FAGG stated that although it has been reduced in scale, there are issues relative to the landscape buffers provided and proximity to residential properties. These factors would indicate the project is too intense for the site. The Commissioner could not find justification for the Variance. The hardships were created by the applicant's design. He asked if the site could be reconfigured. MR. ATOUT replied that reconfiguration of the site without the adjacency Variance would make the site unusable. The amount of square footage that the applicant must provide for retail cannot be met without that Variance.

MR. ATOUT pointed out that there is a retail building across from his site, which was approved with a residential adjacency Variance and that building has a 1:1 ratio with a 20-foot tall parapet and a 20-foot setback. With the landscape buffer, MR. ATOUT'S project offers a 2:1 ratio. COMMISSIONER EVANS explained that setting a precedent would continue to snowball with the next developer citing the previous developer receiving special waivers and variances. Doing so causes a loss in the integrity of the zones. MR. ATOUT felt this was the best design possible after spending countless man hours on a viable solution. To eliminate the residential adjacency waiver, the building would have to be moved approximately 20 feet and that would reduce the square footage of the structure by 1/3rd to 1/2.

COMMISSIONER GOYNES stated that he was taking the level of opposition into consideration. The neighbors in this area are very vocal and they did not come out to speak against the project. There was opposition on the previous design so a lack of presence would indicate to him that the opposition is not there. The applicant has substantially reduced the project and addressed the neighbor's concerns.

COMMISSIONER TROWBRIDGE acknowledged the applicant's attempt to mitigate the impact

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 25 – VAR-6953

MINUTES – Continued:

of the building by providing an excessive landscape buffer. He was not able to find an acceptable alternative for a location on the site for the structure.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [VAR-6953] and Item 26 [SDR-6950].

(7:50 – 8:09)

2-740

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6950) and Variance (VAR-6955).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-6950 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-6953 - PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC. - Request for a Site Development Plan Review FOR A PROPOSED 4,900 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 0.53 acres at 2200 North Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions, deleting Condition 23 and amending the following condition:

21. **Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A unless a deviation from standards is approved by the City Engineer.**
- UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 25 [VAR-6953] for related discussion on Item 25 [VAR-6953] and Item 26 [SDR-6950].

(7:50 – 8:09)

2-740

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 26 – SDR-6950

CONDITIONS:

Planning and Development

1. A cross access and parking agreement with the property to the west shall be obtained prior to issuance of building permits.
2. A Waiver of the perimeter landscaping standards is hereby approved.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All development shall be in conformance with the site plan and building elevations, date stamped 07/29/05 except as amended by conditions herein.
6. Refuse collection areas and dumpsters shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 26 – SDR-6950

CONDITIONS – Continued:

12. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
13. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation. The building shall carry the same level of detail on all four sides of the building.
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
15. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
17. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

18. Dedicate an additional five feet of right-of-way for a total radius of 25 feet on the northwest corner of Decatur Boulevard and Eugene Avenue prior to the issuance of any permits.
19. Construct all incomplete half-street improvements on Eugene Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 26 – SDR-6950

CONDITIONS – Continued:

20. Remove all substandard public street improvements on Decatur Boulevard, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
21. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
22. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
23. All landscaping and signage installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.
25. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-8591 - VARIANCE - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Variance FROM CLIFFS EDGE DEVELOPMENT STANDARDS TO ALLOW A 10 FOOT SETBACK FOR A TWO STORY STRUCTURE FOR PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES ADJACENT TO STREET RIGHT-OF-WAY AT PARCEL PERIMETER WHERE 20 FEET IS REQUIRED on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with **TRUESDELL** and **DUNNAM** voting **NO**

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 27 [VAR-8591], Item 28 [VAR-8592] and Item 29 [SDR-7650].

GARY LEOBOLD, Planning and Development, explained the Site Plan Review for this project appeared before the Board on August 11th, but was held to allow the Variances to catch up with it. The applicant is asking to develop a multi-unit project which will have 13, seven-unit buildings and 8, 32-unit buildings. The site will be accessed from Farm Road, an 80-foot secondary collector. Staff felt the project was somewhat overbuilt when considering the waivers

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 27 – VAR-8591

MINUTES – Continued:

and variances required. The waivers relate to the Cliff's Edge Development Standards for development standards and setback criteria. Those standards require the living area or porch to be 10 feet from the private street or parking area and the applicant is asking that it be reduced to six feet. Also, a waiver from parking lot landscaping is requested for varying depths of interior landscape and a minimum of perimeter depth of seven feet, not the 10-feet required. These reductions would only allow more building and related parking to be placed on a smaller site.

MR. LEOBOLD stated that the parking variance is for 686 spaces, where 39 are of a tandem configuration, where 686 spaces, including 14 which are handicap accessible. Per Code, tandem parking cannot be counted towards the parking requirements. Code states a parking space cannot be counted only if a car could enter or leave the space without having to move another vehicle in another parking space. There is a setback variance request from the 20 foot requirement. The applicant is proposing 10 feet on one portion of the site. Staff felt these requests are evidence of an overbuilding situation and recommended approval.

GINA VENGLASS, Department of Public Works, said that if the item were approved, her department would like to remove Condition 21 from Item 29 [SDR-7650] because the study was already addressed in the Cliff's Edge Master Traffic Study.

MARK BANGAN, LR Nelson Consulting, 6765 West Russell Road, Suite 200, appeared on behalf of the applicant. He stated the project is good for the area and fits within the Cliff's Edge Master Association. The setback issue referenced by staff was specific to a portion of the site where a structure with a three-story center with two-story flag outs would be constructed. That area of the site is approximately 15 feet into the ground. That combined with the wall in the corner would screen much of the building, which is 10 feet away from the parcel perimeter. MR. BANGAN addressed the parking waiver by explaining each unit has a two-car garage. Three of the garages in each building will be tandem, which may not be counted.

COMMISSIONER DUNNAM confirmed with MS. VENGLASS that the Cliff's Edge Development Standards were approved late in 2003 or early in 2004. He was concerned that within 18 months from approval, waivers are being requested from the standards.

CHAIRMAN TRUESDELL asked if the applicant had been provided a copy of the standards when the project was being designed. MR. BANGAN stated he did have the standards along with line work provided by VTN Nevada. He was later given information regarding walls and roadways and that was when the issue came into affect. The original line work did not have a roundabout or radius showing on it. The Chairman stated he liked the project and did not have a problem with the tandem parking. He agreed with COMMISSIONER DUNNAM that it is early

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 27 – VAR-8591

MINUTES – Continued:

to deviate from recently approved design standards. It would be better if the project had met standards.

COMMISSIONER STEINMAN suggested the building on the corner in question being cut back since it creates the only setback problem. MR. BANGAN stated to accommodate the 20-foot setback on that corner; the entrance would be moved and would conflict with the driveway of the property across the street. He reiterated that the site is lower at the corner and only a portion of the sloping roof would be visible. COMMISSIONER STEINMAN was surprised the master developer would even allow the deviation. He did support the tandem parking on the site and was surprised the development standards did not accommodate them.

COMMISSIONER DAVENPORT confirmed with MS. VENGLASS that there is a common lot dedicated by the master developer in front of the area with the proposed 10-foot setback. That area is landscaped and is 10-feet wide so that distance, combined with the 10-foot setback, does place the building 20 feet off the street but not off of the property line.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 27 [VAR-8591], Item 28 [VAR-8592] and Item 29 [SDR-7650].

(8:11 – 8:29)

2-1471

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-8592) and Site Development Plan Review (SDR-7650).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-8592 - VARIANCE RELATED TO VAR-8591 - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 647 PARKING SPACES WHERE 686 ARE REQUIRED FOR A PROPOSED CONDOMINIUM DEVELOPMENT on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with TRUESDELL and DUNNAM voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 27 [VAR- 8591] for related discussion on Item 27 [VAR-8591], Item 28 [VAR-8592] and Item 29 [SDR-7650].

(8:11 – 8:29)

2-1471

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 28 – VAR-8592

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-8591) and Site Development Plan Review (SDR-7650).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☐

DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-7650 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-8591 AND VAR-8592 - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 347 UNIT CONDOMINIUM DEVELOPMENT AND WAIVERS OF THE PARKING LOT AND FOUNDATION LANDSCAPING REQUIREMENTS on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions, deleting Condition 21 and amending the following condition:

2. All development shall be in conformance with the site plan and building elevations, date stamped 08/09/05 except as amended by conditions herein.
- Motion carried with TRUESEL and DUNNAM voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 27 [VAR- 8591] for related discussion on Item 27 [VAR-8591] and Item 28 [VAR-8592] and Item 29 [SDR-7650].

(8:11 – 8:29)
2-1471

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 29 – SDR-7650

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. All development shall be in conformance with the site plan and building elevations, date stamped 06/28/05, and the clubhouse date stamped 08/09/05 except as amended by conditions herein.
3. A Waiver from Cliff's Edge Development Standards, Section 3.2 Development Standards and Setback Criteria, which require 10 feet from the Living Area or Porch From Private Street or Parking, to allow a six-foot separation distance, is hereby granted. A Waiver from the Cliff's Edge Development Standards Section 5.8 Parking Lot Landscaping requirement, which requires a landscape planter around the interior parking lots is to have a depth of 10 feet, including sidewalks, and a minimum of one 24-inch box tree is to be planted every 20 linear feet, to allow varying depths of interior landscape that surround the interior parking lot with a minimum depth of seven (7) feet, is hereby granted.
4. The conceptual landscape plan shall be revised and approved by Planning and Development Department to comply with Section 5.8 Parking Lot Landscaping, of the Cliff's Edge Development Standards, prior to the time application is made for a building permit, to reflect a minimum of one 24-inch box tree to be planted within each landscape planter island. The revised landscape plan shall utilize a table and plant list including quantities, type, and sizes of all trees and shrubs.
5. The applicant shall obtain a signed letter from the Homeowners' Association and Master Developer for the file, Site Development Plan Review (SDR-7650), which approves the use of all proposed trees and shrubs for the subject property.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 29 – SDR-7650

CONDITIONS – Continued:

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
10. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08 and Section 6 Entry and Wall Guidelines of the Cliff's Edge Design Guidelines. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 29 – SDR-7650

CONDITIONS – Continued:

18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.
20. If not already constructed by the Master Developer, construct half street improvements on Hualapai Way, Farm Road, and Egan Crest Way, including appropriate overpaving (if legally able), adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
21. A Traffic Impact Analysis update must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 29 – SDR-7650

CONDITIONS – Continued:

City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

23. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way (if any) adjacent to this site concurrent with development of this site.
24. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements (if any) in the public rights-of-way adjacent to this site.
25. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222A.
26. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
27. Show and dimension the common lots and adjacent right-of-way on the Tentative Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
28. Private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
29. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 29 – SDR-7650

CONDITIONS – Continued:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

30. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement and all other applicable site--related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-6690 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: CINGULAR WIRELESS - OWNER: HAROUN YAMINI, ET AL -
Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS
COMMUNICATION FACILITY, STEALTH DESIGN at 4480 East Charleston Boulevard
(APN 140-32-401-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 09/21/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – Motion carried with TRUESDELL voting NO

To be heard by the City Council on 9/21/2005

NOTE: Commissioner Steinman disclosed that he had recused himself on previous votes involving Cingular Wireless because of negotiations he had with Cingular in his capacity as a board member for Sun City Summerlin. Those negotiations and related payments are completed and he felt there was no longer a conflict of interest.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, explained that there is an existing 63-foot tall slim line monopole at the northeast corner of the building. The applicant has proposed the addition of a monopalm but staff felt that would be an over saturation on the property. The

current proposal

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 30 – SUP-6690

MINUTES – Continued:

suggests removal of the existing monopole and replacement with a 76-foot tall monopine in the same location. That would make the new pole 13 feet higher and slightly increased in girth. Staff and the applicant have been working on this application since June 23rd and the current proposal is acceptable by staff.

DUFFY DAUGHERTY appeared on behalf of the applicant and thanked staff for their support.

COMMISSIONER EVANS thanked the applicant for the innovative uses that make the poles less burdensome to the eye.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:29 – 8:33)

2-2236

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for a Wireless Communication Facility, Stealth Design use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The communications tower and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications Monopine and its associated equipment and facility.

Public Works

4. The proposed wireless communications facility shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-7326 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Special Use Permit FOR A PROPOSED TEMPORARY REAL ESTATE SALES OFFICE AND A WAIVER OF THE SIX-MONTH TIME LIMITATION adjacent to the west side of Tule Springs Road, approximately 1,100 feet southwest of the intersection of Tule Springs Road and El Capitan Way (APN 125-17-702-005), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following condition:

- *The temporary trailer on Tule Springs Road shall be removed within 60 days after the opening of the proposed sales trailer.*
- **UNANIMOUS**

To be heard by the City Council on 9/21/2005

NOTE: A previous motion by STEINMAN for Approval, which passed unanimously, was rescinded upon motion by STEINMAN, which also passed unanimously.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 31 [SUP-7326] and Item 32 [SDR-8288].

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 31 – SUP-7326

MINUTES – Continued:

GARY LEOBOLD, Planning & Development, explained that the Special Use Permit was before the Board on July 28th but was held so the applicant could submit the Site Development Review and have the applications heard together. Staff had no issue with the concept of the temporary real estate office. It will be 1,400 square feet and is allowed by approval of the Special Use Permit. The applicant has stated the trailer would be in operation for longer than the allowable six-month period and staff feels that is acceptable. He noted the applicant is requesting waivers from the parking lot landscaping standards and for reductions of perimeter landscaping. The landscape plan shows no parking lot landscape islands and four would be the requirement. They are also providing a landscaping buffer of five feet where eight feet are required, and 14 perimeter trees where 18 is required. Although it is only a temporary use, these are requirements for the use.

DENNIS WORTZER, DRC Engineering, 7180 Industrial Road, appeared on behalf of the applicant and concurred with all conditions. He noted that the applicant is requesting a waiver from the perimeter landscape requirement but is offering to install 36-inch box trees instead of the minimum size of 24-inch box trees because they wanted more mature trees around the site. Also, because those trees are so large, the landscaping fingers in the parking lot would not add anything to the project. He assured the Commissioners that the applicant is cognizant of the aesthetics of the site and the importance of the impression of the sales trailer. The site exists in the center of the master development and there are no surrounding developments that would be affected by this use.

COMMISSIONER STEINMAN confirmed with MR. WORTZER that the infrastructure would be installed along the route to the trailer. He asked if staff had a requirement to have the other trailer, which currently exists in the development, removed. He preferred the location of the proposed trailer because it was not out on the street. MR. WORTZER indicated there would be a period of overlap between the two trailers being up and running. The Commissioner wanted a condition added that the existing trailer be removed within 60 days of the new trailer opening.

MR. WORTZER concurred with the new condition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 31 [SUP-7326] and Item 32 [SDR-8288].

(8:54 – 9:03)

2-2398

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 31 – SUP-7326

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Temporary Real Estate Office use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-8288 and all applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8288 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-7326 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED 1,400 SQUARE-FOOT TEMPORARY REAL ESTATE SALES OFFICE WITH WAIVERS TO PERIMETER AND PARKING LOT LANDSCAPE REQUIREMENTS on 0.16 acres adjacent to the west side of Tule Springs Road, approximately 1,100 feet southwest of the intersection of Tule Springs Road and El Capitan Way (APN 125-17-702-005), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following condition:

- *The temporary trailer on Tule Springs Road shall be removed within 60 days after the opening of the proposed sales trailer.*
- UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 31 [SUP-7326] for related discussion on Item 31 [SUP-7326] and Item 32 [SDR-8288].

(8:54 – 9:03)

2-2398

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 32 – SDR-8288

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-7326) to allow the Temporary Real Estate Sales Office use with a waiver of the six-month expiration date.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 07/22/05, except as amended by conditions herein.
4. A Waiver from parking lot and perimeter landscaping is hereby approved, to allow zero parking lot landscape islands where four are required, a five-foot rear landscape buffer where eight feet is required, and 14 perimeter trees where 17 are required.
5. An underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be maintained in a satisfactory manner.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 32 – SDR-8288

CONDITIONS – Continued:

be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. All temporary improvements associated with this site shall be removed at the time of termination of the temporary use.
15. All landscaping and signage installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-7538 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: CINGULAR WIRELESS - OWNER: J K TENAYA PROPERTIES, LLC -
Request for a Special Use Permit TO ALLOW A PROPOSED 80 FOOT TALL WIRELESS
COMMUNICATION FACILITY, STEALTH DESIGN at 3900 North Tenaya Way (APN 138-
10-516-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 09/21/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with **TRUESDELL** and **EVANS** voting **NO** and **GOYNES** abstaining because he rents two storage facilities at the subject property

To be heard by the City Council on 9/21/2005

NOTE: Commissioner Steinman disclosed that he had recused himself on previous votes involving Cingular Wireless because of negotiations he had with Mr. Sawyer from Cingular in his capacity as a board member for Sun City Summerlin. Those negotiations and related payments are completed and he felt there was no longer a conflict of interest.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 33 – SUP-7538

MINUTES – Continued:

GARY LEOBOLD, Planning & Development, explained the item was held from the August 11th meeting because the applicant was not present at that time. The proposed facility would be substantially screened from view of nearby multi-family developments. However, because of its height, it will be highly visible from Tenaya Way and from the convenience store onsite. There are few palm trees on the site but none of the proposed height, so it will not blend well with the surroundings. Also the site is located approximately 150 feet from an existing flag-pole style wireless facility with multiple antennas which was erected in 2003. Because of these reasons, staff recommended denial.

MARK SAWYER, 7477 West Lake Mead Boulevard, appeared on behalf of the applicant and explained the equipment would be located within a storage facility space. It will not be on the outside and will not encroach onto the existing right-of-way or the parking lot. Also, the applicant has a lease with Verizon Wireless to co-locate on this monopalm.

COMMISSIONER DAVENPORT questioned the color of the antenna portions of the monopalm. Recently, he visited California and found the monopalms there to have matching paint on the antennas and the fronds. MR. SAWYER indicated the company does try to match the paint as closely as possible.

CHAIRMAN TRUESDELL stated that a few years past, the City went through a process of completing a review of cell towers. That resulted in the industry's stealth design, meant to be less obtrusive. Having one palm tree 80 feet tall or a pine tree standing alone in a field does not really blend well. He was concerned that with the current wave of consolidation, requests will continue to come in asking for higher towers. The array towers, even when hidden in a pine tree, are still visually obtrusive.

MR. SAWYER agreed they are obtrusive but unfortunately, with the technology that Cingular is utilizing in taking over AT&T, the technology equates to the need for greater height. To compensate, Cingular has tried to use palm and pine stealth designs whenever possible. Technology requires the 80 foot height with this carrier.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:03 – 9:10)

2-2841

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 33 – SUP-7538

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for a Wireless Communication Facility, Stealth Design use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. The wireless communications monopalm and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

MOD-8064 - MAJOR MODIFICATION - PUBLIC HEARING -
APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC - Request for a Major Modification of the Town Center Development Standards Manual of the Town Center Land Use Plan TO ALLOW A BUILDING HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM HEIGHT ALLOWED FOR A PROPOSED 87,000 SQUARE-FOOT OFFICE BUILDING on 23.5 acres adjacent to the northwest corner of Grand Montecito Parkway and Durango Drive (APNs 125-29-502-010, 125-29-601-002 and 020, a portion of 125-29-601-018, and 125-29-510-011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center General Plan Designation)], Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

MINUTES:

There was no discussion.

(6:04 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8066 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-8064 - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC - Request for a Site Development Plan Review FOR 239,400 SQUARE FOOT OFFICE COMPLEX on 23.5 acres adjacent to the northwest corner of Grand Montecito Parkway and Durango Drive (APNs 125-29-502-010, 125-29-601-002 and 020, a portion of 125-29-601-018, and 125-29-510-011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center General Plan Designation)], Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

MINUTES:

There was no discussion.

(6:04 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-7675 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 25.36 acres adjacent to the southeast corner of Grand Canyon Drive and Rome Drive (APN 125-19-701-011), Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 36 [ZON-7675] and Item 37 [SDR-7676].

GARY LEOBOLD, Planning & Development, explained that the request is consistent with the Public Facilities general plan designation for most of the site. There are five acres to the east end of the site that are designated through the Town Center Development Standards Manual as PFTC. Staff feels the requested zoning would be appropriate so there is no split zoning on the site. Approval of the application would allow a middle school on the site. A traffic study is being conducted and the applicant will implement any recommendations from that study into the design of the site. He noted there is an equestrian trail designated along the western boundary of the site, which will have to be developed on the proposed school site, in accordance with the

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 36 – ZON-7675

MINUTES – Continued:

recreational trails element. Once constructed, the City would assume maintenance of that trail.

MR. LEOBOLD suggested a condition be added requiring the site plan be revised to include the equestrian trail in accordance with the Recreation Trails Element Standards.

WADE SIMPSON, Wells Pugsley Architects, 2480 East Tompkins Avenue, appeared on behalf of the applicant and concurred with all staff conditions. He indicated although staff was unsure during the review meeting whether the trail would be required, the site does have adequate room to accommodate the trail. The structure has been set back 120 feet from Grand Canyon Drive to the east. That setback would typically have been about 30 to 50 feet. The site slopes approximately 65 feet from Grand Canyon Drive to the boundary on the east. This should help mitigate any issues with the neighbors.

COMMISSIONER DUNNAM questioned where the trail would go and asked how it would cross the 215 freeway. MR. LEOBOLD offered to show the Commissioner the Recreational Trails Element so he could see how the network runs through the area. The Commissioner did not understand how the trail could be constructed abutting the 215 freeway when there are four residential estates already abutting the freeway. MR. SIMPSON was unsure as well but thought perhaps Grand Canyon Drive was slated to cross over the freeway. The Commission decided the information was not necessary to vote and staff would provide it when available.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 36 [ZON-7675] and Item 37 [SDR-7676].

(9:10 – 9:18)

2-3214

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-7676) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. If legally able, dedicate 40 feet of right-of-way adjacent to this site for Grand Canyon

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 36 – ZON-7675

CONDITIONS – Continued:

Drive, 30 feet for Bath Drive west of Tee Pee Lane, 40-feet for Bath Drive east of Tee Pee Lane and a 20-foot radius on the southeast corner of Grand Canyon Drive and Bath Drive prior to the issuance of any permits.

4. Construct half-street improvements including appropriate overpaving and transition paving, if legally able, on Bath Drive and Grand Canyon Drive adjacent to this site concurrent with development of this site. Bath Drive east of Tee Pee Lane shall be constructed as an 80-foot Town Center Collector. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Provide a minimum of two lanes of paved, legal access to this site concurrent with development.
6. Extend public sewer in Bath Drive to the west edge of this development to a location, depth and alignment acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 36 – ZON-7675

CONDITIONS – Continued:

compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-7676 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-7675 - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT
- Request for a Site Development Plan Review FOR A PROPOSED MIDDLE SCHOOL on 25.36 acres adjacent to the southeast corner of Grand Canyon Drive and Bath Drive (APN 125-19-701-011), U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] [PROPOSED: C-V (Civic) Zone], Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions and adding the following condition:

- The site plan must be revised to include the equestrian trail in accordance with the Recreation Trails Element Standards.

– **UNANIMOUS**

To be heard by the City Council on 9/21/2005

MINUTES:

See Item 36 [ZON-7675] for related discussion on Item 36 [ZON-7675] and Item 37 [SDR-7676].

(9:10 – 9:18)

2-3214

CONDITIONS:

Planning and Development

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 37 – SDR-7676

CONDITIONS – Continued:

1. A Rezoning (ZON-7575) to a C-V (Civic) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 07/21/05, except as amended by conditions herein.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform to the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 37 – SDR-7676

CONDITIONS – Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Coordinate with the Clark County Department of Public Works to determine impacts to this site, if any, from the Grand Canyon Drive/Beltway connection and provide written documentation from Clark County to Land Development prior to the submittal of any construction drawings for Grand Canyon Drive.
14. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-7675 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-8053 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PAULA McFARLAND - Request for a Variance TO ALLOW A PROPOSED SIX-FOOT HIGH BLOCK WALL AND A PROPOSED 12-FOOT HIGH WROUGHT IRON GATE IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET, 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED on 0.45 acres at 7690 Cowboy Trail (APN 125-13-201-019), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to condition – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the portion of the request pertaining to a 12-foot high wrought iron gate could be disregarded. The applicant was trying to indicate a 12-foot wide gate and that would not need a variance. There is an existing wooden fence and gate and the subject site; however, it does not meet Code. The proposed fence would be built out to the property line and would be a solid block wall. Staff recommended denial because it does not meet the requirements of Title 19.08.040, which states fences in front yards shall be a maximum of four feet in height with the top two feet 50 percent open.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 38 – VAR-8053

MINUTES – Continued:

PAULA McFARLAND, applicant, 7690 Cowboy Trail, appeared and stated the six-foot block wall would not be in the front of the house; it would be on the side of the structure and the back yard. That wall would face into the interior of a private cul-de-sac. The four foot portion of the fence will run along a portion of the side of the home and in the front yard, which faces Cowboy Trail. She concurred with all conditions.

CHAIRMAN TRUESDELL confirmed with MR. LEOBOLD that the problem with the application is the Code interpretation of the backyard for the property. The home is oriented so that the front of the structure faces Cowboy Trail but per Code, that would be the rear of the property.

COMMISSIONER EVANS confirmed with MS. McFARLAND that the proposed fence would replace an existing fence and be more aesthetically pleasing. He also confirmed there was no opposition from her neighbors regarding this proposal.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:18 – 9:22)

2-3686

CONDITION:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-7615 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH BOX - OWNER: CHARLESTON FESTIVAL, LLC - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED (AUTO TITLE LOAN, WITH CHECK CASHING) AND A WAIVER OF THE 200-FOOT SEPARATION REQUIREMENT FROM A RESIDENTIAL USE adjacent to the north side of Charleston Boulevard, approximately 510 feet west of Salem Drive (APN 138-35-803-001 and 138-35-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 09/21/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the request is for a 1,600 square foot suite within an approved shopping center. Staff felt the waiver of the 200-foot distance separation would not create a harmonious or compatible situation and recommended denial.

CHET COX, 2232 Chatsworth Court, appeared with QUANG REGAN, 891 Prairie Grass Drive,

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 39 – SUP-7615

MINUTES – Continued:

General Manager of Cash Box, and concurred with all conditions. MR. COX read a statement which explained the purpose of the business. Some of the points noted in that statement included rate comparisons between the applicant and competitors and services offered for free such as faxing, utility payments and money orders. The applicant has several other successful operations within the Valley and has proven worth of receipt of the Special Use Permit. The distance to the residential in question is actually in excess of 200 feet when measured from the building line, not the property line. Residents who live behind the center would have to walk over 1,600 feet to get to the stores. Approval of the site would not generate additional traffic as it is located in a major shopping center, and the signage for the facility will comply with Code and will be compatible with the shopping center. Having this facility in this location will strengthen the choices available to consumers. MR. COX felt his statement proved that Cash Box would provide a benefit to the residents of Las Vegas and should be granted the requested permit. He also reminded the Commissioners that four of the last five applications before the Board with separation distance issues were approved.

COMMISSIONER DAVENPORT noted that there were four late protest letters received by COUNCILWOMAN TARKANIAN'S office. He was concerned about the neighbors surrounding the shopping center and stated there were issues regarding the center in the past. There will be a Wal-Mart in this center and recently, Wal-Mart has started to request Special Use Permits to allow check cashing in their stores. It is possible this Wal-Mart location will make that request. The Commissioner thought the services offered by the applicant were great services but they will offer those services from whatever location they have. He would not be able to support the application.

MR. COX indicated that his company signed with the shopping center over one year ago. The site is exactly what the applicant was looking for to be a viable business.

COMMISSIONER EVANS questioned why the applicant signed a lease over one year ago when the 200-foot separation distance requirement was already in place at that time. MR. COX replied that he knew waivers were readily offered and felt his application was justified in receiving one. The Commissioner reminded MR. COX that although the site might be over 200 feet away from the residential when measured from the building line, that is not how Code requires the measurement. He also informed him that with the check cashing industry fully aware of the Code requirements, he had difficulty understanding why the industry does not work to find locations within the set parameters. He also commented that although MR. COX indicated the loans are very affordable, a \$100 loan would cost \$780 if the client kept re-borrowing the same \$100. MR. REGAN replied that the company has a policy that the loans are only short-term solutions for clients and are not designed to be taken out for long periods of time. Customers are

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 39 – SUP-7615

MINUTES – Continued:

only allowed a maximum of four extensions. COMMISSIONER EVANS concluded by stating that applicants are not entitled to waivers without making a compelling argument to justify the request.

COMMISSIONER STEINMAN clarified the building leased by the applicant was on the east end of the property. He recalled that there was previous discussion regarding the residents behind the center wanting an eight-foot wall to separate them from the center. The wall was approved and it has cut that neighborhood off from the shopping center. He thought the 200 foot distance separation was not always appropriate when there is such a separation as in this case. He agreed with COMMISSIONER DAVENPORT that the Wal-Mart in this center will most likely request approval to offer check cashing services. However, he was not seriously concerned about this request because the facility would be located on the main street and an eight-foot wall separates the residents from the center.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:22 – 9:37)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-8044 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: EZ PAWN NEVADA, INC. - OWNER: JO WADE CORPORATION - Request for a Special Use Permit FOR A PROPOSED 5,000 SQUARE-FOOT PAWN SHOP at 3862 West Sahara Avenue (APN 162-06-813-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 09/21/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letter of opposition, 8 signatures

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with DAVENPORT, EVANS and DUNNAM voting NO

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained the applicant is relocating the use from 808 South Las Vegas Boulevard to the proposed location. The existing building is part of a larger shopping center with an existing ingress/egress and parking agreement. The site has existing handicap parking and trash enclosures which do not meet current Code but did meet Code at the time of construction. There is an if approved condition restricting drive-thru or walk-up windows on the site. MR. LEOBOLD pointed out that it is a

pawn shop and legally,
PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 40 – SUP-8044

MINUTES – Continued:

they can include financial institution specified activities. If considered only as a financial institution specified, there would be two other similar uses within the distance separation and one of those uses is in the same shopping center.

JENNIFER ROBERTS, Attorney, Lionel Sawyer and Collins, 300 South 4th Street, appeared with KENNY AWINE, Area Manager for EZ Pawn. She thanked staff for their efforts and concurred with all conditions.

COMMISSIONER DAVENPORT stated that pawn shops are allowed to do check cashing and payday loans. ATTORNEY ROBERTS stated there would be no check cashing but the facility would offer payday loans. The payday loan portion of the business was described as incidental. The Commissioner noted that there is an existing payday loan business at 3860 West Sahara Boulevard, which is right behind the subject site. ATTORNEY ROBERTS replied that per Code, pawn shops are exempt from being defined as financial institutions specified and therefore, the distance separation requirement does not apply. COMMISSIONER DAVENPORT considered that a loophole in the Code. He asked if the applicant would accept a condition prohibiting payday loans. She stated the applicant would not want to give up that aspect of the business despite it being a small portion. COMMISSIONER DAVENPORT would need such a condition agreed upon to support the application because he thought there should be a separation between two companies doing payday loans. ATTORNEY ROBERTS indicated that under Code, a condition such as that would not be required because the pawn shop is considered exempt.

ATTORNEY ROBERTS stated that the applicant could consider a separate application for the separation requirement if that was the only option for the application to move forward. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that a pawn shop is not considered a financial institution specified under Code, so the distance separation requirement is not an issue in this situation.

COMMISSIONER EVANS suggested that the spirit of the Code, trying to prohibit a saturation of similar uses in a particular area, should be respected. There is great potential in the subject shopping center. He felt it was the responsibility of the Board to look at the spirit of the Code when deciding if an application should or should not be approved.

ATTORNEY ROBERTS informed the Commission that the subject business is a reputable operation and there are locations throughout Nevada and the Country. COMMISSIONER EVANS stated he was not impugning the integrity of the company.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 40 – SUP-8044

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT advised the Commission that the application is for a Special Use Permit (SUP). The Commission can place any conditions onto the SUP as deemed necessary to limit the impact of this pawn shop on the community.

COMMISSIONER STEINMAN thought the payday loan function of a pawn shop was an incidental part of the business. The Code is very clear on this type of application.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:37 – 9:48)

3-668

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Pawn Shop use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. A drive through window or walk up window will not be installed on the property.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-8446 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
ERUDITE TUGBOAT EXPEDITION COMPANY, LTD., LLC - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 528 South Casino Center Boulevard (APN 139-34-311-048), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 09/21/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT not voting

To be heard by the City Council on 9/21/2005

NOTE: Chairman Truesdell disclosed that he owns property in the downtown area; however, it is not located with the notification area for this application and he would be voting.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, explained the request was generated by the relocation of the subject business from 605 South Casino Center Boulevard to the proposed site across the street. The old building is being taken over by the Nevada Historical Society. Staff found the application to be in compliance with all standards and recommended approval.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 41 – SUP-8446

MINUTES – Continued:

SHAWN HUGGINS, Moran & Associates, 630 South 4th Street, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:49 – 9:50)

3-1033

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [Z-0100-64(175)].
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-7905 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: ALLIED BUILDING MATERIALS, INC. - Request for a Site Development Plan Review FOR A PROPOSED 6,111 SQUARE-FOOT OFFICE BUILDING AND WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND BUILDING PLACEMENT REQUIREMENTS on 1.52 acres adjacent to the southwest corner of Wyoming Avenue and Fairfield Avenue (APNs 162-04-609-003 and 004), M (Industrial) Zone, Ward 1 (Tarkanian).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TROWBRIDGE – APPROVED subject to conditions and deleting Condition 14 – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning & Development Department, explained the project requires waivers from the Centennial Plan Building Frontage and Streetscape requirements. With some minor modifications, the streetscape requirements can come into close compliance with the Plan. Staff had issue with the building placement because the proposal does not encourage a pedestrian oriented environment. The proposed building is located at the interior of the site behind a wall

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 42 – SDR-7905

MINUTES – Continued:

and is only accessible from within the site itself. This redevelopment project is welcomed in this area; however, it is too far from the goals and objectives of the Centennial Plan for staff to recommend approval.

GREGG BORGELL, 300 South 4th Street, appeared on behalf of the applicant. He acknowledged staff's point of view and their desire to support the Centennial Plan. The applicant feels a fair evaluation of the property would reveal that the Centennial Plan's detailed application would not work with the site. The applicant will utilize the facility as a building materials sales facility and there is no need for a pedestrian friendly street entrance. He also cited security concerns over having an entrance not located behind the block wall. The project will be one of the better in the neighborhood. He continued by stating that concurrence with the if approved conditions would meet several of the Centennial Plan Requirements. The applicant is able to agree to all conditions except Condition 14, which required desert neutral paint on the exterior. MR. BORGELL thought the corporate colors of grey and blue were aesthetically pleasing. He suggested the entire condition could be deleted because the condition is a duplication of 13 with the exception of the desert colored paints.

CHAIRMAN TRUESDELL confirmed with MR. BORGELL that the building will be made primarily of block.

COMMISSIONER TROWBRIDGE found the colors to be acceptable. He also questioned the applicability of the Downtown Centennial Plan at this location and asked why the structure must face Wyoming Avenue, which he found very unattractive. The proposed project would vastly improve that community and will help move the neighborhood in the right direction.

COMMISSIONER EVANS agreed that the colors were very attractive.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:37 – 9:48)

3-668

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 42 – SDR-7905

CONDITIONS – Continued:

2. All development shall be in conformance with the site plan and building elevations, date stamped 07/07/05 except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan streetscape and building placement requirements is hereby approved, to allow:

The building's main entrance to be orientated towards the parking lot instead of the street frontage.

70% of the street wall to have a setback that is not aligned with the median setback range of the existing buildings on the block.

To allow a streetscape that is not consistent with the Downtown Centennial Plan requirements.

To allow the existing block wall to be used as screening for the parking lot.

4. Sign and record a shared parking agreement prior to the issuance of any permits for the site.
5. Palm trees shall be installed in the public right-of-way on north/south streets at a maximum spacing of 35 feet on center (30 feet on center preferred) in accordance with Subsection DS4.2.a of the Downtown Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk. Shade trees, in single or double rows, may be provided alternately between the required palm trees.
6. Shade trees shall be installed in the public right-of-way on east/west streets at a maximum spacing of 30 feet on-center (15-20 feet on center preferred) in accordance with Subsection DS4.2a of the Downtown Centennial Plan. Minimum tree size shall be a 24-inch box; a 36-inch box size is preferred.
7. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan.
8. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 42 – SDR-7905

CONDITIONS – Continued:

- result of the requested Waivers. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).
9. Surface parking lots shall have a minimum of one shade tree for every six parking spaces. The parking area will require a minimum of four additional trees. In addition, a minimum of ten square feet of landscaped surface area shall be provided for each parking space, incorporated into landscape islands, a required perimeter landscape treatment, or both.
 10. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
 11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
 12. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
 13. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
 14. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict non-reflective glazing at the pedestrian level, and glazing above pedestrian level with a maximum of 22% reflectivity. It is recommended that the building exterior utilize a desert neutral paint scheme.
 15. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
 16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 42 – SDR-7905

CONDITIONS – Continued:

17. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. Dedicate a 20-foot radius on the southwest corner of Wyoming Avenue and Fairfield Avenue prior to the issuance of any permits.

20. Construct all incomplete half-street improvements, including sidewalk, on Wyoming Avenue and Fairfield Avenue adjacent to this site concurrent with development of this site.

21. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.

23. Landscape and maintain all unimproved rights-of-way, if any, on Wyoming Avenue and Fairfield Avenue adjacent to this site.

24. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Wyoming Avenue and Fairfield Avenue public rights-of-way adjacent to this site prior to occupancy of this site.

25. Provide a copy of a recorded Joint Access Agreement between the two parcels that comprise this site prior to the issuance of any permits; alternatively the two parcels may be legally joined by a method acceptable to the City Surveyor.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-7968 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ARCHITECT GERALD GARAPICH - OWNER: TRIPLE A, LLC -
 Request for a Site Development Plan Review FOR A PROPOSED 5,000 SQUARE-FOOT RETAIL BUILDING IN CONJUNCTION WITH AN EXISTING SHOPPING CENTER AND WAIVERS OF THE 60% GLAZING REQUIREMENT, AND FOR A REDUCTION OF FOUNDATION AND PARKING AREA LANDSCAPING STANDARDS on 4.09 acres adjacent to the northwest corner of Washington Avenue and Lamb Boulevard (APN 140-30-601-016), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that in 2001, a site plan was approved for a 37,280 square foot market, a 6,000 square foot retail building and a 2,029 square foot convenience store on the site. The market and retail building have since been constructed; however, the applicant hoped to replace the convenience store with a 5,000 square foot retail building. Per Title 19, features such as windows and arcades, have to total at least 60 percent of the façade if it abuts a public street. The proposed elevations depict facades along

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 43 – SDR-7968

MINUTES – Continued:

Washington Avenue without any special architectural features. Staff recommended the glazing waiver and imposed a condition of approval to enhance the façade along that area. Staff also supported the waiver for the six-foot foundation buffer and parking lot landscape island because there is a significant amount of other landscaping on the site as it is now developed.

RICHARD GALLEGOS, Gerald Garapich, 10 Commerce Drive, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:59 – 10:01)
3-1453

CONDITIONS:

Planning and Development

1. Compliance with all conditions of approval for Z-0041-01 and all other related site-related actions.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 07/11/05, except as amended by conditions herein.
4. A Waiver is hereby approved to allow a reduction of the 60% glazing requirement and foundation and parking area landscaping standards. The following applies:

No glazing along the south elevation where 60% is required.

One parking lot landscape island where three are required.

No foundation landscape buffer where six feet is required.

5. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 43 – SDR-7968

CONDITIONS – Continued:

same time application is made for a building permit. The landscape plan shall include irrigation specifications.

7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to comply with the Commercial Development Standards. Changes in color and wall plane, and the inclusion of beltlines, pilasters, recesses, pop-outs, etc, should be used to reduce visual length along long walls.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 43 – SDR-7968

CONDITIONS – Continued:

development of this site. Coordinate with the Land Development Section of the Department of Public Works to determine what improvements are substandard.

16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. Site development to comply with all applicable conditions of approval for Z-41-01 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8032 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VISTA DEL REY ASSOCIATES, LLC. - Request for a Site Development Plan Review FOR THE CONVERSION OF A 144-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 6.84 acres adjacent to the southwest corner of Del Rey Avenue and Redwood Street (APN 163-02-202-010), R-PD18 (Residential Planned Development - 18 units per acre) Zone, Ward 1 (Tarkanian).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the October 20, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

MINUTES:

There was no discussion.

(6:04 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8048 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PREMIER TRUST, INC. - Request for a Site Development Plan Review FOR A 2,400 SQUARE-FOOT PROFESSIONAL OFFICE AND FOR WAIVERS OF THE BUILDING PLACEMENT REQUIREMENT AND PERIMETER, PARKING LOT, AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.17 acres at 352 South Jones Boulevard (APN 138-36-210-013), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the request is for the conversion of an existing 1,900 square foot office to a professional office. There is also a request for an addition of 500 square feet. The area is converting to Professional Office (PR) along the east side of Jones Boulevard. Staff supported the application but wanted the Commission to be aware that there will eventually be a one-way drive entrance along the north side of the site, which will exit on the south side of the site. It must have 24-foot drives to meet

Nevada Department of Transportation (NDOT) standards because Jones Boulevard is an NDOT road in

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 45 – SDR-8048

MINUTES – Continued:

that area. There is an area of the site where the building to the north is only 11 feet from the existing building and that will have to be used as a two-way drive for a temporary period of time until the property to the south is converted to an office use as well.

MR. LEOBOLD indicated that the conversion of that site is underway. A condition has been imposed which prevents the construction of the 500-foot addition until the loop is available. A second issue for the Board to be aware of pertained to the landscaping. A number of waivers were requested due to the small size of the lot. There will be a planting screen of pine trees along the rear and the applicant is able to meet a requirement for a 10-foot landscape island along Jones Boulevard. Staff felt this was an acceptable trade off to the requested waivers.

MICHAEL ANDERSON, 921 American Pacific Drive, #304, appeared with DONALD DICKEY, the property owner on behalf of the applicant and concurred with all conditions.

MR. DICKEY commended the Commission for their hard work and stated he was impressed watching the Commission while waiting for his item to be heard.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:01 – 10:05)

3-1550

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CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/04/05, except as amended by conditions herein.
3. Waivers from Title 19 standards shall be approved as follows:
Trees in five-foot wide islands at the ends of all parking rows shall be omitted.
The rear lot line tree island width shall be reduced from a minimum of eight feet to five feet.
A 15-foot wide tree island along Jones Boulevard shall be reduced to 10 feet.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 45 – SDR-8048

CONDITIONS – Continued:

Foundation landscaping shall be omitted, except as illustrated on the landscape plan date stamped 08/16/05.

The required building placement shall be increased from 20 feet to 27 feet.

4. A proposed building addition shall not be constructed until such time as a total of eight parking spaces are provided.
5. Prior to the issuance of a building permit, a revised landscape plan must be submitted to and approved by the Department of Planning and Development, showing a maximum of 25% of the total landscaped area as turf.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform to the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 45 – SDR-8048

CONDITIONS – Continued:

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with the Land Development Section of the Department of Public Works to determine what improvements are substandard.
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A along Jones Boulevard. All work within the Jones Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.
17. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits. Provide a copy of a recorded Access Agreement whereby this owner grants access rights to the adjoining parcel to the south prior to the issuance of any permits.
18. Landscape and maintain all unimproved right-of-way, if any, on Jones Boulevard adjacent to this site.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
21. Site development to comply with all applicable conditions of approval for Z-26-91 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8065 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON RESIDENTIAL, LLC - Request for a Site Development Plan Review FOR AN 85-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.3 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-015), R-PD12 (Residential Planned Development - 12 units per acre) Zone, Ward 6 (Ross).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the September 22, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

MINUTES:

There was no discussion.

(6:04 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8079 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MELODY SULLIVAN - OWNER: GAMING PARTNERS INTERNATIONAL USA, INC. - Request for a Site Development Plan Review FOR A PROPOSED 85-SPACE PARKING LOT AND WAIVERS OF PARKING AREA AND PERIMETER LANDSCAPE REQUIREMENTS on 1.00 acre at 1600 Industrial Road (APN 162-04-609-001), M (Industrial) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and amending the following condition:

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08 *except the wall adjacent to the railroad property*. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. The screen wall along Industrial Road and Wyoming Avenue should be placed behind the landscape planters to enhance the streetscape.

– UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 47 – SDR-8079

MINUTES – Continued:

FLINN FAGG, Planning and Development Department, explained that the proposed parking lot required waivers from perimeter and parking lot landscaping requirements. The applicant did provide additional landscaping in some of the perimeter buffers and is providing an adequate number of perimeter trees.

SCOTT BAKER, 7225 South Bermuda Road, appeared on behalf of the applicant and concurred with all conditions. He asked for clarification on Condition 4 regarding the conceptual landscape plan. He asked if the condition required an additional submittal to the Board. MR. FAGG explained that the requirement was for the applicant to work with staff. MR. BAKER also questioned Condition 9, which required all perimeter walls be decorative block walls. He pointed out that the portion abutting the Union Pacific Railroad property would not be visible and would have landscaping on the other side of it and asked if that requirement could be waived.

COMMISSIONER DAVENPORT felt it would be okay to have that portion of the wall be solid block if staff found it acceptable. MARGO WHEELER, Planning & Development Department, stated that staff could accept a condition change to number 9 which would exempt only the wall adjacent to the railroad property from meeting the decorative standard. MR. BAKER concurred.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:05 – 10:09)

3-1710

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan, date stamped 07/12/05, except as amended by conditions herein.
3. Waivers from Downtown Centennial parking lot landscaping, perimeter landscaping, and streetscape treatment is hereby approved, to allow:

Zero landscape islands and nine parking lot trees where 15 trees are required

To allow a five-foot planter where a minimum of eight feet is required.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 47 – SDR-8079

CONDITIONS – Continued:

To allow a streetscape that is not consistent with the Downtown Centennial Plan.

4. As required by the Downtown Centennial Plan, the conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 25-foot Palm Trees planted a maximum of 30 feet on-center along Industrial Road (north-south street). Shade trees, in single or double rows, may be provided alternately between Palm Trees to provide shade and pedestrian comfort.
5. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. The screen wall along Industrial Road and Wyoming Avenue should be placed behind the landscape planters to enhance the streetscape.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 47 – SDR-8079

CONDITIONS – Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with the Land Development Section of the Department of Public Works to determine what improvements are substandard.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
15. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Coordinate with the City Engineer's Office to determine impacts to this site, if any, from proposed public improvement projects in the area.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-8593 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: STRONG BOX INC. - OWNER: GARRY AND CATHERINE FOX -
 Request for a Site Development Plan Review FOR A PROPOSED OFFICE COMPLEX on 0.59 acres at 2129 Industrial Road (APN 162-04-803-005), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian).

C.C.: 09/21/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and amending the following conditions:

2. All development shall be in conformance with the site plan and building elevations, date stamped 08/18/05, except as amended by conditions herein.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity, *with the exception of one door.*

– UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the applicant had initially presented a design with parking in the courtyard area in the center of the building as well as in front of the building. Staff did not feel that configuration was best because it required backing out of parking spaces onto Industrial Road. After working with the applicant, significant

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 48 – SDR-8593

MINUTES – Continued:

changes were made to improve the design. Parking is still provided in the courtyard area and the front portion will now be landscaping, which complies with Downtown Centennial Plan requirements. The applicant has also entered into a lease with a nearby property owner for an additional 15 parking spaces. That parking will not be covenanted on that property so it cannot be officially counted as usable parking but it does show a good faith effort to self park the site.

JENNIFER LAZOVICH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She explained the applicant is trying to comply with the landscaping standards, which includes replacing the sidewalk and intensive landscaping. This property would be one of the few in the area to comply with the Centennial Plan and the applicant hopes doing so will start a trend.

ATTORNEY LAZOVICH asked if Condition 5, which pertained to reflective glazing, could be amended to allow one door facing Industrial Road to have the glazing. The request will not cause the door to be a safety hazard because of the landscaping planned for the area in front of the door.

MARGO WHEELER, Planning and Development Department, said that Condition 2 should have the date stamp amended to read 8/18/2005 and if they want to consider the request to Condition 5, the language “with respect to one door” would have to be added. ATTORNEY LAZOVICH clarified it would be the door facing onto Industrial Road and she concurred with the amended language.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:09 – 10:13)

3-1838

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/15/05, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 48 – SDR-8593

CONDITIONS – Continued:

3. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 48 – SDR-8593

CONDITIONS – Continued:

- concurrent with development of this site. Coordinate with the Land Development Section of the Department of Public Works to determine what improvements are substandard.
13. Coordinate with the City Engineer's Division regarding the planned Industrial Road public improvement project; portions of the proposed landscape and two parking spaces located west of the building may be eliminated in the future.
 14. Landscape and maintain all unimproved right-of-way, if any, on Industrial Road adjacent to this site.
 15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Industrial Road public right-of-way adjacent to this site prior to occupancy of this site.
 16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - DIR-8092 - DIRECTOR'S BUSINESS - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and appointment of Planning Commissioners to the various Planning and Development Department Design Review Committees.

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends NONE.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter – Not Applicable

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 9/21/2005

MINUTES:

CHAIRMAN TRUESDELL stated that appointments must be made to various design review committees. He proposed the following appointments:

COMMISSIONER STEINMAN and COMMISSIONER DUNNAM to the Centennial Hills Architectural Review Committee with COMMISSIONER GOYNES as the alternate.

COMMISSIONER EVANS and COMMISSIONER DAVENPORT to the Downtown Entertainment Overlay District - Design Review Committee with COMMISSIONER DUNNAM as the alternate.

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 49 – DIR-8092

MINUTES – Continued:

CHAIRMAN TRUESDELL and VICE CHAIRMAN GOYNES to the Parkway Center Architectural Review Committee with COMMISSIONER STEINMAN as the alternate.

COMMISSIONER DAVENPORT and VICE CHAIRMAN GOYNES to the Downtown Signage Review Committee with COMMISSIONER EVANS as the alternate.

(10:13 – 10:16)

3-2028

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - TXT-5037 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.14.100 (OFF-PREMISE SIGNS) and Title 19.14.060.F.5 [Permitted Signs in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), and M (Industrial) Zoning Districts] relating to standards for Off-Premise Signs and the distance separation between Off-premise and On-premise Signs.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and Item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

MINUTES:

There was no discussion.

(6:04 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-8465 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04 Table 2 Land Use Tables, 19.04.050 and 19.20.020 Words and terms Defined to allow for the use "Urban Lounge" by means of a Special Use Permit.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with **TRUESEL** abstaining because he owns property in the Arts District and **DAVENPORT** voting **NO**

To be forwarded to the City Council in Ordinance form

MINUTES:

CHAIRMAN TRUESEL declared the Public Hearing open.

MARGO WHEELER, Planning and Development Department, stated that a map was distributed to show the boundaries of the Downtown Arts District, which is between Gass Avenue and Colorado Avenue from Main Street frontage to Las Vegas Boulevard. She explained that there is a difference between restaurant service bars and supper clubs based upon the need for full food service. Various developers have contemplated having taverns in the Arts District but there is not one location that is currently available to have a tavern per Code.

Within the Entertainment District, just east of the Fremont Street Experience, there is no distance requirement between taverns due to an ordinance passed in 2002. Part of the ordinance included

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 51 – TXT-8465

MINUTES – Continued:

a reduction in fees. The Arts District is now looking for similar dispensation such as that written for the Entertainment District. Staff has not proposed any fee changes; however, a new definition was produced. The Urban Lounge would allow the service of alcohol, no more than five gaming devices (by separate license) and an exemption from the distance requirement. The use would require a special use permit. Also, a requirement would be imposed that for every bar seat, two lounge seats must be provided. All other requirements of the Code must be met. Staff felt this would allow for applications to come in for specific locations within the Downtown Arts District. This Land Use would be a hybrid between a tavern and a restaurant service bar for this area only.

CHAIRMAN TRUESDELL indicated that when he first read the application, he thought it was generalized towards the community. At that time, he had prepared comments for discussion. Knowing it was specific to the Arts District, he felt the need to abstain but wanted to voice his comments as well. DEPUTY CITY ATTORNEY BRYAN SCOTT advised him that an abstaining member of the Board could make comments, per Code, as long as those comments are not for or against the item being abstained from. CHAIRMAN TRUESDELL stated he would step back from the conversation once heard.

The Chairman thought the idea of creating a hybrid lounge would be interesting because it would create some different opportunities. However, he thought the creation of something more dynamic would produce a larger benefit. The Chairman concluded his comments by suggesting, as an example, some of the wine bars located on the west side of the valley, which offer outdoor seating. MS. WHEELER informed him that outside seating would be permitted throughout the Downtown Centennial Plan area.

COMMISSIONER STEINMAN thought having classy bars in the Arts District made sense. He could not understand why a gaming component was added. MS. WHEELER reminded him the gaming would be limited to five machines. The Commissioner felt it was not needed at all. MS. WHEELER explained if it was not limited, the gaming aspect would have to be totally disallowed. COMMISSIONER STEINMAN said his impression of the Arts District was something new, different and creative for the City. He did not think it was important to encourage gaming in the Arts District.

COMMISSIONER EVANS said in this case, it was not a matter of encouraging gaming but was, if anything, an attempt to moderate it. The idea would be to create some hip lounges where present Code does not currently allow them. COMMISSIONER STEINMAN stated he would support hip lounges but did not understand why gaming was included with them. COMMISSIONER EVANS explained he was in the restaurant and bar business for several

years, and it was his understanding that gaming pays for the fixed expenses in an establishment.
He did

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 51 – TXT-8465

MINUTES – Continued:

not think there would be many operators in town who would not want to open a lounge, bar or supper club without some component of gaming. It limits their ability to be competitive. This hybrid would limit the gaming while allowing a wine bar or some food. He found it disappointing that much of the communication and human interaction was taken away from taverns in Las Vegas because they are gaming oriented.

COMMISSIONER STEINMAN agreed and felt that excellent bars and restaurants can excel without having gaming. The Arts District is off to a good start and he could not understand why gaming had to be included for it to succeed. He asked if the only way to succeed in Las Vegas was to include gaming.

COMMISSIONER EVANS found that the proposal did not encourage gaming but it did limit it so that the sole purpose of the establishment was not gaming.

COMMISSIONER TROWBRIDGE felt everyone agreed that whatever steps needed to be taken to allow the Arts District to succeed should be taken. The ability to purchase a glass of wine while enjoying the artwork could be considered part of the experience. The allowance of five machines in a smaller bar would most likely be an economic necessity to pay the rent. He envisioned a small bar having five antique style slot machines to add ambiance and facilitate the socialization that is required to have the Arts District succeed.

After COMMISSIONER TROWBRIDGE motioned for approval, COMMISSIONER STEINMAN indicated he would support the item because it is necessary to have this type of facility; however, he stood by his comments challenging the need for gaming in this district.

COMMISSIONER DAVENPORT stated he travels by the Arts District weekly and he would not support this because it is premature to bring alcohol of any type into the area. There has been tremendous growth in the past year and it is very nice. A wine only establishment might be acceptable but not a bar with five slot machines.

No one appeared in opposition.

VICE CHAIRMAN GOYNES declared the Public Hearing closed.

(10:16 – 10:31)
3-2163

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 51 – TXT-8465

CONDITIONS:

- Title 19.04.010, Table 2 “Land Use Tables,” is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	Retail & Personal Services	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Urban Lounge					<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>

- Title 19.04.050(B), “Minimum Requirements,” is hereby amended to include the following:

URBAN LOUNGE [C-1, C-2, C-M, M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

- No Urban Lounge use shall be located outside of the Arts District as defined in the Downtown Centennial Plan as amended from time to time.
 - For every bar seat provided, there shall be two lounge seats.
 - Gaming devices shall be limited to no more than five devices.
 - All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
- Title 19.20.020 “Words and Terms Defined” is hereby amended to include the following:

Urban Lounge. An establishment that is licensed with an Urban Lounge license in accordance with LVMC Chapter 6.50 which is limited to five gaming devices located in the bar top and has a required seating of two lounge seats for every one bar seat.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-8467 - TEXT AMENDMENT - PUBLIC HEARING – APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend the Town Center Development Standards Manual Section (4) (B) (34) (e) to allow Pubs, Bars and Lounges in the Service Commercial (SC) zone on a parcel exceeding 30 aggregate acres.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **NO RECOMMENDATION**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 50 [TXT-5037] to the 9/08/2005 Planning Commission Meeting; Item 46 [SDR-8065] to the 9/22/2005 Planning Commission Meeting; Item 34 [MOD-8064], Item 35 [SDR-8066] and Item 44 [SDR-8032] to the 10/20/2005 Planning Commission Meeting and TABLE Item 52 [TXT-8467] – UNANIMOUS

MINUTES:

There was no discussion.

(6:04 – 6:06)

1-107

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 25, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-8471 – TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code as follows: to add "Condominium Conversion" as a land use requiring a Special Use Permit in all zoning districts to Table 2 of Chapter 19.04.010; to add minimum requirements for a Special Use Permit for "Condominium Conversion" to Chapter 19.004.050 B; and to add the definition of "Condominium Conversion" to Chapter 19.20.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and amending the following condition:

9. Upon the close of escrow for each unit, the applicant shall convey to the property owners' association's contingency fund a minimum fee of two hundred (\$200.00) dollars ¹ per dwelling unit. When fifty percent or more of the total units in the project has been sold, the applicant, within thirty days, shall convey such fee for each of the unsold units. Such funds shall be used solely and exclusively as a contingency fund for emergencies that may arise relating to open-space areas, exterior portions of dwelling units and such other restoration or repairs as may be assumed by the property owners' association. The intent of the city in requiring the creation of a contingency or reserve fund for condominium conversions is to provide a surety for unexpected or emergency repairs to common areas in the interest of the economic, aesthetic and environmental maintenance of the community, as well as to protect the general welfare, public health and safety of the community.

¹ This fee is based on a 2005 application. Future fees will be increase/decreased based on the CPI of the application year

– UNANIMOUS

PLANNING COMMISSION MEETING OF AUGUST 25, 2005
Planning and Development Department
Item 53 – TXT-8471

MOTION – Continued:

To be forwarded to the City Council in Ordinance form

MINUTES:

VICE CHAIRMAN GOYNES declared the Public Hearing open.

MARGO WHEELER, Planning and Development Department, explained that the item is a result of the many discussions regarding condominium conversions. There has been a recent text amendment which allows some discretionary action to be taken regarding such conversions; there were no standards to accompany the zoning standards. This amendment proposed a number of conditions to be considered when reviewing condominium conversion applications. Some of those conditions include, specific plan requirements, fire mechanical code consideration requirements and other conditions that staff has discovered in other jurisdictions. Also, there is a provision with regard to moving expenses.

MS. WHEELER noted there are Federal and State requirements that applicants would have to satisfy which are not referenced in this text amendment.

COMMISSIONER STEINMAN found Condition 9 innovative. The Condition referenced a contingency fund minimum requirement of \$200 per dwelling unit. He noted NRS 116 requires reserve requirements be established for homeowners associations for conversions. He thought the \$200 per dwelling unit requirement would not be sufficient for older developments where reserve studies should be done to determine the appropriate reserve amount. He asked how the \$200 amount was determined without taking NRS 116 into consideration.

MS. WHEELER stated that the NRS provision was considered when coming up with that amount. The \$200 minimum was found in other jurisdictions and sets a minimum to ensure the task is completed. The condition would not lessen the requirements of the State.

COMMISSIONER STEINMAN asked that language be added to the end of Condition 9 that requires compliance with NRS 116. MS. WHEELER agreed that was the appropriate place for it. DEPUTY CITY ATTORNEY BRYAN SCOTT indicated that would be acceptable.

VICE CHAIRMAN GOYNES declared the Public Hearing closed.

(10:31 – 10:40)

3-2869

CONDITIONS:

1. Title 19.04.010, Table 2, "Land Use Tables:, is hereby amended to include the following:

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CONDITIONS – Continued:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	Condominium Conversion	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
						<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>												

2. Title 19.04.050 (B), “ Minimum Requirements” is hereby amended to include the following:

Condominium Conversion (R-2, R-3, R-4, R-5)

- *1. The following information shall be incorporated into the Special Use Permit application for review:
 - A. Number of stories and height of each building;
 - B. Density in dwelling units per net and gross acre;
 - C. Total number of parking spaces and stall and aisle sizes;
 - D. Area of site to be covered by structures and area to be landscaped;
 - E. Floor area per unit;
 - F. Type of construction;
 - G. Total amount of storage space per unit;
 - H. Location of trash enclosures;
 - I. A landscape plan which indicates plant materials and number of trees.
- *2. Compliance with Building, Housing, Mechanical and Fire Codes. All units, as well as the common ownership facilities, shall be brought into compliance with all applicable state and local zoning, building, housing, mechanical and fire codes adopted for use by the city.
- 3. The project shall conform to all applicable parking requirements of Section 19.10.
 - *4. Each unit shall have at least two hundred cubic feet of enclosed, weatherproofed and secured private storage space outside the living area of the unit.
 - *5. Energy conservation insulation shall be installed in all heated or cooled buildings, including common ownership structures used for assembly purposes. Common walls and a common floor/ceiling between units shall be constructed to meet a sound transmission coefficient (STC) rating of fifty or higher.
 - *6. Each dwelling unit shall be served by gas and electric services completely within the lot lines or ownership space of each separate unit. No common gas or electrical connection or service shall be allowed. Easements for gas and electric lines shall be provided in the common ownership area where lateral service connections shall take place.
 - *7. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.

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CONDITIONS – Continued:

- *8. Each dwelling unit shall be separately metered for gas and electricity. Individual panel boards for electrical current shall be provided for each unit. A plan for the equitable sharing of communal water metering and other shared utilities shall be included in the covenants, conditions and restrictions.
- *9. Upon the close of escrow for each unit, the applicant shall convey to the property owners' association's contingency fund a minimum fee of two hundred (\$200.00) dollars¹ per dwelling unit. When fifty percent or more of the total units in the project has been sold, the applicant, within thirty days, shall convey such fee for each of the unsold units. Such funds shall be used solely and exclusively as a contingency fund for emergencies that may arise relating to open-space areas, exterior portions of dwelling units and such other restoration or repairs as may be assumed by the property owners' association. The intent of the city in requiring the creation of a contingency or reserve fund for condominium conversions is to provide a surety for unexpected or emergency repairs to common areas in the interest of the economic, aesthetic and environmental maintenance of the community, as well as to protect the general welfare, public health and safety of the community.
- *10. Rental History and Project Profile. A statement of specific information concerning characteristics of the project, consisting of the following:
 - A. Rental history for each unit for the previous three years;
 - B. Monthly vacancy rate for the development during the preceding three years;
 - C. Proposed sale price of each unit;
 - D. Proposed property owners' association fee;
 - E. The name of the primary leaseholder for each unit.
- *11. Building and Grounds Condition Report. The subdivider shall provide, at his or her own expense and in a format acceptable to the city, a building and grounds condition report prepared by a licensed civil engineer or licensed architect. This report shall contain the following information:
 - A. An evaluation of the structural condition of each building in the project;
 - B. An evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems.

All main buildings, structures, fences, patio enclosures, carports, accessory buildings, sidewalks, driveways and landscaped areas shall be refurbished and restored as necessary to achieve a high standard of appearance, quality and safety as determined by the Planning and Development Department.
- *12. A notice of intent to convert shall be delivered to each tenant within fifteen days after the Special Use Permit application is filed. The form of the notice shall be as required by Nevada Revised Statute 116.4112 and shall contain the following information:
 - A. Name and address of current owner;
 - B. Name and address of proposed subdivider;
 - C. Notice of tenant's right of first refusal;
 - D. Notice of tenant's approximate vacation date;
 - E. Notice of right to moving expenses.

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CONDITIONS – Continued:

- *13. Any present tenant(s) of any unit shall be given a nontransferable right of first refusal to purchase the unit occupied, at the price offered the public. The right of first refusal shall extend for a period of at least ninety days after final map approval or initial offering for sale, whichever is later in time.

¹ This fee is based on a 2005 application. Future fees will be increase/decreased based on the CPI of the application year

- *14. Each non-purchasing tenant not in default under the obligation of the rental agreement or lease under which the unit is occupied shall have not less than one hundred twenty days from the date of city council approval of the final subdivision map to vacate the premises.

- *15. Moving Expenses. The subdivider shall provide moving expenses to any tenant who relocates from the building after receipt of notification from the subdivider, according to the following schedule based on the length of tenancy on the date of receipt of notification:

Length of Tenancy	Moving Expenses
Less than 1 year	½ of one months rent
More than 1 year	One months rent

3. Title 19.20.020 (Words and Terms Defined shall be amended to include the following:

Condominium Conversion. A change in the ownership of a parcel or parcels of property, together with the structures thereon, whereby the parcel or parcels and structures previously used as residential rental housing are changed into condominium ownership.

City of Las Vegas

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

MARGO WHEELER, Planning and Development Department, informed the Commission that a report was distributed regarding Centennial Hills. Often times, during discussions on this projects in this area, the question arises, how did it change from the original project? The report addresses this issue and includes land maps showing the original Centennial Hills Plan and what it currently is.

Also, a text amendment was distributed which pertained to billboards. A comparison was made with other jurisdictions. That item was abeyed earlier in the meeting and staff would welcome questions prior to hearing the item at the 9/08/2005 Planning Commission meeting.

(10:40 – 10:41)

3-3366

MEETING ADJOURNED AT 10:41 P.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK